Oregon Department of Environmental Quality

and US EPA Region 10

Performance Partnership Agreement

July 1, 2010 to June 30, 2012

Performance Partnership Agreement
Between the Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency – Region 10

We are pleased to sign the Performance Partnership Agreement between DEQ and EPA.

DEQ and EPA have a joint commitment to ensure success of this PPA. Collaborative approaches to addressing environmental issues ensure efficient and focused use of resources and are essential to achieve environmental results. DEQ and EPA's partnership reflects an agreement to align and focus resources on priority work, and to make difficult choices about what work will not get done due to cuts in program funding and staffing.

Working in partnership to achieve our environmental goals, and making decisions regarding how best to employ our resources within the context of funding uncertainties, requires timely communication and collaboration. During this PPA the agencies' leadership will meet periodically to check in on our progress, identify issues and enhance our partnership.

Date: 6/22/10

Signed:

Dennis McLerran, Regional Administrator
U.S. EPA - Region 10

Date: 21 June 2010

Signed:

Dick Pedersen, Director
Oregon Department of Environmental Quality

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PERFORMANCE PARTNERSHIP AGREEMENT

PURPOSE AND SCOPE

This Performance Partnership Agreement describes how the Oregon Department of Environmental Quality and the U.S. EPA Region 10 will work together to protect Oregon's environment during the State fiscal years 2011 and 2012, which are from July 1, 2010 to June 30, 2012.

The PPA is an agreement documenting the commitments of EPA and DEQ regarding implementation of federally-delegated environmental programs, and is part of a wider effort called the National Environmental Performance Partnership System, an agreement between EPA and the Environmental Council of States (ECOS, the association of state environmental directors). The goal of NEPPS, and of PPAs, is to promote flexibility, accountability, and innovation in state/federal agreements regarding implementation of federal environmental programs delegated to states for implementation. PPAs are intended to strengthen protection of the environment by focusing attention on overall environmental protection goals and the actual results of efforts to achieve them, not on government programs and the number of actions they take.

EPA and the states, through ECOS, are working together to reaffirm the NEPPS principles of *joint* planning and priority setting processes, and providing flexibility to allocate scarce resources to address the highest environmental and public health priorities, particularly in light of continued declining federal revenues. The NEPPS model being discussed by EPA and the states is one of co-governance, embracing and redefining the collaborative relationship between states and EPA, promoting allocation of resources to address state and regional priorities, and encouraging the use of best practices and innovative strategies to maximize environmental results.

The PPA appendices contain program-specific work plans for Air Quality, Hazardous Waste, and Water Quality, which describe the joint priority work to be accomplished during State fiscal years 2011 and 2012.

This PPA also serves as the work plan for the Performance Partnership Grant covering State fiscal years 2011 and 2012. A PPG allows for a number of grants to be combined into one flexible grant package, reducing administrative burden and enhancing efficiency by consolidating several grants into one, and increasing state flexibility to direct resources to the highest environmental and public health priorities.

Grants from the following program authorities are included in this agreement and are combined in the PPG:

- Clean Air Act, Section 105
- Clean Water Act, Section 319 (partial grant)
- Clean Water Act, Section 106
- Resource Conservation and Recovery Act, Section 3011
- Safe Drinking Water Act – Underground Injection Control, Section 1443(b)(1)
- National Environmental Information Exchange Network

STRATEGIC PRIORITIES

EPA and DEQ were guided in these PPA negotiations by their respective strategic priorities and national program guidance. Below is a chart which outlines the Strategic Directions of DEQ, as well as EPA Region 10 and the EPA national goals. The chart illustrates the relevant connections between the state and federal priority work. DEQ and EPA will continue to work toward better collaboration and integration of our strategic planning efforts so that the environmental priorities of each agency are closely aligned.

DEQ Strategic Directions 2006-2011	EPA Region 10 Strategic Endeavors (2007-2011)	EPA National Goals (2006-2011)
Promote Sustainable Practices	Sustainability and Strategic Partnerships	Compliance and Environmental Stewardship
Improve Oregon's Air and Water	Support the Core Protect and restore watersheds	Clean Air and Global Climate Change Clean and Safe Water
Protect People and the Environment from Toxics	Clean and Affordable Energy and Climate Change	Land Preservation and Restoration
Involve Oregonians in Solving Environmental Problems	Enhance Tribal Environments	Healthy Communities and Ecosystems

EPA's Priorities and Strategic Endeavors

In January 2010 new EPA Administrator Lisa Jackson set out new national priorities to guide EPA's work in the coming years. Administrator Jackson's priorities are:

- Taking action on climate change
- Improving air quality
- Assuring the safety of chemicals
- Cleaning up our communities
- Protecting America's waters
- Expanding the conversation on environmentalism and working for environmental justice
- Building strong state and tribal partnerships

As an example of how national priorities are implemented in the states, Administrator Jackson's priority to "expand the conversation on environmentalism and work for environmental justice" will lend support for the continued development of environmental justice programs in Oregon. EPA Region 10 is committed to working closely with our state partners to identify additional opportunities

and support necessary to ensure DEQ is able to address environmental justice issues in Oregon. Region 10 environmental justice staff will work closely with the environmental justice and program staff at DEQ to enhance environmental justice program implementation in Oregon by engaging in activities that foster joint collaboration with federal, state, and local agencies as well as members of our most vulnerable communities.

EPA Region 10 strives to integrate state and regional priorities with EPA's national strategic planning objectives. The Region 10 strategic plan is developed through discussions with states and tribes. EPA's national and regional strategic plans and guidance are available at http://www.epa.gov/ocfo/.

Region 10's strategic endeavors include protecting and restoring watersheds, supporting the core, sustainability and strategic partnerships, enhancing tribal environments, clean affordable energy and climate change, and a stronger EPA.

The strategic endeavor for protecting and restoring watersheds includes the national and regional geographic priority work in the Columbia River basin. This priority includes work necessary to reduce toxic pollution in the Columbia River basin and to establish a fish consumption rate that protects tribal fish consumers. EPA also plans to continue to provide strong emphasis and support on important water protection and restoration work in Oregon including DEQ's Agency-wide Toxics Reduction Strategy.

The strategic endeavor of supporting the core recognizes the importance of our core regulatory programs. EPA's initial intention is to strengthen the core programs by improving strategies to better use existing resources and focus additional resources where significant shortfalls exist. EPA identified stormwater permitting and compliance, concentrated animal feeding operations, homeland security, financial assurance, wetlands compliance and reduction of particulate matter (PM2.5) as areas in need of such attention.

The strategic endeavor to promote clean, affordable energy and address climate change recognizes that energy production and use and climate change are closely linked, affecting many dimensions of the environment and the programs designed to protect and sustain it. The EPA Region 10 Climate Change Strategy outlines the major components of this endeavor. The objectives of this endeavor are to develop and implement a regional climate change strategy, participate in the West Coast Collaborative to address diesel emissions, and to apply appropriate EPA authority to address oil and gas exploration, development and production in Alaska. The regional climate change strategy will systematically attempt to: (1) characterize current and projected greenhouse gas emissions (GHG), impacts, and programs in the Pacific Northwest and Alaska; and (2) mitigate, adapt to, and study climate change impacts in the region.

The strategic endeavor on enhancing tribal environments highlights Region 10's commitment to work with Tribal governments in Oregon to plan, protect and restore the natural resources on which tribal communities rely for their physical, cultural and economic well-being.

The sustainability and strategic partnerships endeavor communicates the importance of sustainable practices that allow us to meet our environmental, social and economic needs without compromising the ability of future generations to meet their needs. Initiatives in this area include the Resource Conservation Challenge, Smart Growth, Sustainability Education, Sustainable Infrastructure, and Government Partnerships.

DEQ's Strategic Directions and Priorities

DEQ's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land, and water. Our vision is to work with all Oregonians for a healthy, sustainable environment. DEQ's 2006-2011 Strategic Directions have provided a framework for identifying agency-wide priorities and guiding the development of budget requests, grant applications, employee work plans, and environmental reporting. DEQ's Strategic Directions can be viewed at http://www.deq.state.or.us/about/strategicdirections.pdf. More general information about DEQ is available at: http://www.oregon.gov/DEQ/about_us.shtml.

Currently, DEQ is prioritizing three environmental themes: climate change, toxics reduction and water. In addition, the following paragraphs highlight DEQ's continuing work on environmental justice, tribal government relations, compliance and enforcement, and evaluation of our agency role in sustainability.

Climate Change

Climate change is expected to have serious impacts in Oregon including coastal and river flooding, snow pack declines, lower summer river flows, reduction of farm and forest productivity, energy cost increases, public health effects, and increased pressures on many fish and wildlife species. In 2009 DEQ convened a Climate Change Team to develop integrated strategies for addressing greenhouse gas emissions in Oregon. Representatives of DEQ's Air Quality, Land Quality and Water Quality divisions are all contributing to this effort. The Climate Change Team is in the process of preparing a comprehensive list of all DEQ programs and activities that may have a role in addressing climate change.

Toxics Reduction

DEQ is developing an agency-wide toxics reduction strategy. The Air Quality, Land Quality, and Water Quality Divisions all contribute to this effort. The goal is to use a comprehensive, integrated, and strategic approach to reduce the greatest risk to human health and ecological life from toxic pollutants in Oregon's environment. DEQ plans to complete a draft of the strategy by summer 2010.

Water

The availability of clean and healthy water is critical to Oregon's environment and economy. Protecting Oregon's rivers, lakes, streams and groundwater quality keeps these waters safe for a multitude of beneficial uses such as drinking water, fish habitat, recreation and irrigation. DEQ develops and implements water quality standards and clean water plans, regulates treatment systems and industrial dischargers, oversees the cleanup of hazardous substance sources, collects and evaluates water quality data, and provides grants and technical assistance to reduce nonpoint pollution sources.

Environmental Justice and Tribal Government Relations

DEQ is committed to the principles of environmental justice, understanding tribal interests and consulting with tribal nations, and ensuring that the agency's actions address the interests of Oregon communities, especially minority, low-income and other traditionally underrepresented communities, as much as state and federal laws allow. DEQ works with local environmental justice groups and others to reduce pollution and participates in a partnership with EPA and tribal governments in carrying out their respective responsibilities for protecting and enhancing Oregon's environmental resources.

Compliance and Enforcement
DEQ considers compliance monitoring and enforcement critical to its regulatory mission and is committed to continued investment in these activities as part of an integrated strategy for the core programs. DEQ identifies violations through self monitoring reports, compliance inspections and complaint response. Using its discretion, DEQ initiates formal enforcement for orders and penalties as appropriate under its rules and guidance. Such a strategy allows the state to focus on important environmental and compliance issues, deter those who might violate, maintain a level playing field for the majority who do comply, and promote environmental and economic health outcomes.

Oregon's Attorney General, John Kroger, recently created an environmental crimes unit in the Department of Justice. The new investigatory, legal and prosecutorial resources will greatly enhance the long-standing cooperative relationship and coordination that Oregon DEQ, Oregon State Police and EPA Criminal Investigation Division have had in identifying, investigating, and presenting possible environmental crimes for prosecution at both the state and federal levels.

Sustainability
In 2009 DEQ adopted the Natural Step framework and plans to use the framework as a tool for evaluating sustainable practices internal to DEQ and for our regulatory programs. DEQ has a Sustainability Team of representatives from a range of different programs and is planning to train all agency employees in the Natural Step to facilitate the development and implementation of sustainability goals.

Alignment of EPA's and DEQ's Objectives

This PPA incorporates EPA's national and regional objectives in ways that fit with Oregon's priorities. Our strategies and agency priorities as summarized in the previous sections are in many ways very well aligned. We share the goals of clean air, clean land, clean water, healthy communities and compliance with environmental laws. The attached Air Quality, Hazardous Waste, and Water Quality work plans describe how we will work together on specific activities to help achieve our environmental goals.

PERFORMANCE EVALUATION

DEQ and EPA have developed agreements regarding the process for conducting joint evaluation of performance. The specific process is included in the attached work plans for each program. The purpose of the joint evaluation process is to discuss:

- Work plan accomplishments
- Effectiveness of work performed
- Existing and potential problem areas
- Suggestions for improvement

MODIFYING THE AGREEMENT

This PPA is intended to be a "living," iterative document. Although DEQ and EPA developed this agreement based upon current and projected information, it is possible that either partner may want to revise the agreement based upon new information or changes that occur during the timeframe of the agreement.

The economic recession is having an impact on DEQ's operating budget. Oregon's 2009 Legislature reduced funding that supports DEQ programs. Potential future reductions in state or federal funding of DEQ's air, hazardous waste or water programs is one reason modifications to the commitments outlined in this PPA may be required. Another possible reason that renegotiation of PPA commitments may be required is to address changes in environmental conditions or priorities.

DEQ and EPA expect that, in most instances, negotiating changes will be a fluid process that both agencies can readily agree to, or that changes will be interpreted to be within the scope of the existing agreement, and that these agreements will be captured through written or verbal side agreements. When major changes are needed, the PPA can be re-opened and renegotiated under the direction of the DEQ Director and EPA Regional Administrator.

When either agency believes that changes are needed, the agencies will need to reach agreement on the following:

- The level of resources necessary to do the work,
- Any specific disinvestments from existing work that will be required to accomplish this new work, and
- The roles and responsibilities of each agency to support identified projects.

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

AIR QUALITY PROGRAM

The goal of DEQ's Air Quality Program is to keep Oregon's air healthy to breathe and ensure visibility is clear. DEQ uses a number of measures to determine how well this goal is being met.

- **Percent of communities within DEQ's jurisdiction that have been redesignated from nonattainment to attainment with a National Ambient Air Quality Standard.**

Until recently, 100 percent of Oregonians lived in areas that meet the National Ambient Air Quality Standards for criteria pollutants, which represents a tremendous improvement from a period of routine violations in the 1980s and early 1990s. However, based on new health information, EPA tightened the standard for fine particles to a level that two Oregon communities, Klamath Falls and Oakridge, violate the new standard and many more communities are at risk of violating. During this PPA period, DEQ will be working with Klamath Falls to bring the area into attainment through a formal attainment plan. Lane Regional Air Protection Agency has responsibility for attainment planning in Oakridge, which is located in Lane County.

- **The number of days when air is unhealthy for (a) sensitive groups, (b) all groups (Oregon Benchmark #75 and DEQ Key Performance Measure 12).**

While most communities are meeting federal air quality standards, which are based on annual averages there were still numerous individual days when the air is unhealthy to breathe. One of the key performance measures that DEQ uses to gauge air quality is the number of days when the air in Oregon communities exceeds federal air quality standards. The measure has two parts: part (a) tracks whether Oregon's air is healthy to breathe for sensitive groups, asthmatics, children, and the elderly; and part (b) tracks whether Oregon's air is healthy to breathe for healthy adults.

DEQ's goal is to eliminate all unhealthy air days in all communities. Across the state, there were a total 83 days in 2006 and 120 days in 2007 in which air was unhealthy for sensitive individuals. These unhealthy air days occurred in Klamath Falls, Oakridge, Sweet Home, Hillsboro and 14 other cities. Most of the unhealthy air days were caused by elevated fine particulate levels resulting from wood stoves. In 2007, summertime wildfires in southern and eastern Oregon also contributed to unhealthy air days, but woodstove use is the overwhelming source (111 of the 120 unhealthy air days for sensitive individuals occurred in the wintertime when woodstove use increases).

For healthy adults, there were a total of 2 days in 2006 and 10 days in 2007 when the air was above levels set to protect healthy adults. Four of these days occurred in Klamath Falls, with 6 other cities each recording one day. Again, reducing smoke (particulate matter) from woodstoves and other sources of combustion is essential to reducing the number of unhealthy air days in Oregon.

In addition to fine particulate, EPA is proposing a new more protective standard for ozone. The effect of the proposal on Oregon could range from minor to major depending on the final standard. Besides tighter standards, population growth presents an ongoing challenge in continuing to meet the federal standards for other pollutants.

- **Percent of Oregonians at risk from toxic air pollutants that contribute to (a) cancer, (b) respiratory problems (Oregon Benchmark #76 and DEQ Key Performance Measure 13).**

In 2007, DEQ adopted a new measure that reflects our commitment to protect public health from toxic air pollutants. Air toxics are chemicals that can cause cancer and other serious health effects, such as immune system, neurological, reproductive, developmental, and other health problems. The measure estimates the percent of Oregonians living in areas where the concentration of air toxics is higher than

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Oregon's health benchmark. It relies on emission data developed by DEQ and air quality modeling conducted by EPA. Our most current state-wide data shows that 98 percent of Oregonians are living in areas where concentrations of cancer-causing air toxics exceed health benchmarks. Reducing smoke from woodstove burning, open burning, as well as diesel engines and other small sources of combustion is key to reducing Oregon's air toxics risk. DEQ efforts to reduce emissions from gasoline engines and fuel distribution and commercial processes, are also important to meeting our target. Because this measure is driven by many combustion sources, improvements will be gradual and long-term strategies are needed.

Air Quality Program Joint Priorities

DEQ and EPA worked together to develop the Performance Partnership Agreement Air Quality Program Work Plan. The objective was to come up with a plan that targets Oregon's most important air quality issues within the constraint of limited resources. Through this partnership agreement, both agencies have agreed to support each other's efforts in the following important work.

Priority 1: Climate change

Greenhouse gases contribute to climate change, which is expected to have serious impacts in Oregon including coastal and river flooding, snow pack declines, lower summer river flows, reduction of farm and forest productivity, energy cost increases, public health effects, and increased pressures on many fish and wildlife species. To reduce Oregon's greenhouse gas emissions, Governor Kulongoski directed the Environmental Quality Commission to adopt California emissions standards for vehicles sold in Oregon. DEQ began implementation of the Oregon Low Emission Vehicle Program in January 2008. During this PPA period, DEQ will update the program rules to incorporate recent changes made by California and to align with recent federal rules. The rule changes will allow compliance with federal greenhouse gas emission standards for vehicles to be treated as compliance with the Oregon program through 2016.

In October 2008, the commission adopted greenhouse gas reporting rules which require industrial air permitted sources to begin annual reporting on 2009 emissions. The rules are being expanded to include reporting from fuel distributors and electricity importers. When complete, Oregon's reporting program will capture over 90 percent of the state's greenhouse gas emissions. Last year, EPA adopted new greenhouse gas reporting rules that will require reporting on 2010 emissions. As these new federal rules take effect, DEQ will work with EPA to align state requirements with new federal requirements. For example, DEQ plans to coordinate with EPA on data exchange to avoid duplication of reporting and plans to adopting similar or identical reporting protocols when possible.

DEQ is awaiting rules and guidance from EPA concerning new federal greenhouse gas permitting requirements. As noted in the Objective 2 of the attached work plan related to climate change, DEQ will develop guidance and propose rule revisions to incorporate greenhouse gases into Oregon's New Source Review/Prevention of Significant Deterioration and Title V permitting programs by the EPA deadlines.

In 2009, DEQ proposed and the Oregon Legislature passed House Bill 2186 authorizing the commission to adopt a low carbon fuel standard to reduce greenhouse gas emissions associated with the transportation sector. DEQ is the midst of an extensive advisory committee process to develop rules to implement the legislation. The legislation also directed DEQ to conduct a study on options for improving truck efficiency and reducing engine idling to reduce greenhouse gas emissions. DEQ is

working with a group of stakeholder to study the issue and will submit a report of its findings to an interim legislative committee by October 2010.

DEQ is also assisting the Oregon Department of Transportation and the Land Conservation and Development Department to implement House Bill 2001 and Senate Bill 1059. These statutes require metropolitan planning organizations to develop greenhouse gas reduction scenarios, and require DEQ to help develop information needed for this work.

Priority 2: Meeting National Ambient Air Quality Standards

Fine particulate, PM2.5: As noted earlier, Klamath Falls has been officially designated as a fine particulate nonattainment area, and DEQ has already begun working with local officials to develop a formal attainment plan by December 2012. Based on new monitoring data, another Oregon city, Lakeview is also violating the fine particulate standard, and DEQ and EPA will be discussing attainment planning options for that community. Many other Oregon communities, including Eugene-Springfield, Albany, Portland, Burns, and Medford, continue to be at risk of exceeding fine particulate standards.

In response to nonattainment concerns state-wide, the 2009 Legislature passed a bill requiring the removal of older, noncertified woodstoves upon home sale, as well as banning the sale of certain wood burning devices currently exempt from EPA emission standards. DEQ will be proposing implementation rules in the fall of 2010.

Carbon Monoxide and particulate, PM10: All areas of Oregon are in compliance with the federal PM10 and the carbon monoxide National Ambient Air Quality Standards. DEQ's PM10 and CO maintenance plans are up to date.

Ozone: In January 2010, EPA proposed revisions to the ozone (or smog) National Ambient Air Quality Standard, based on a reconsideration of the health data used to set the ozone standard in March 2008. Under EPA's proposal, the 8-hour primary standard would be strengthened from the current 0.075 parts per million to somewhere within the range of 0.060 to 0.070 ppm (equal to 60 to 70 parts per billion).

The effect of the proposal on Oregon could range from minor to major depending on the final standard. All areas in Oregon are now meeting the existing standard of 0.075 ppm using the most current three-year average data. No areas would violate a standard of 0.070 ppm, the Medford area would violate a standard of 0.065 ppm, and all areas currently monitored would violate a standard of 0.060 ppm.

With respect to implementation of a new ozone standard, EPA proposes an accelerated timeframe based on the signing of a final rule by August 31, 2010. The timeframe is as follows: 1) state designation recommendations submitted to EPA by January 2011, 2) final designations effective no later than August 2011, 3) attainment demonstration in State Implementation Plans due by December 2013 and 4) attainment dates ranging from 2014 to 2031, depending on the severity of the problem. DEQ has outlined its planned ozone work in the work plan, Objective 1, Output #5.

Lead: Last year, Oregon sent a letter to EPA recommending that the entire state of Oregon be designated as unclassifiable for the new lead standard based on available monitoring data. A plan for new lead monitoring is being developed as part of DEQ's five year state wide monitoring strategy. Once monitoring data is available, DEQ and EPA will evaluate the plan for compliance and make nonattainment recommendations as needed.

Nitrogen dioxide, NO_2: On January 25, 2010, EPA finalized revisions to the nitrogen dioxide National Ambient Air Quality Standard, setting a new one-hour NO2 standard at 100 parts per billion. Areas with current monitoring in Oregon have not violated the new standard recently. However, EPA is establishing new ambient air monitoring requirements for NO2, focusing on "hot spots" expected to have higher concentrations. In urban areas, monitors are required near major roads as well as in other locations where maximum concentrations are expected. Additional monitors are also required in large urban areas to measure the highest concentrations of NO2 that occur more broadly across communities. DEQ expects that two new monitors will be deployed in the Portland area to meet these requirements, and expects that Portland will be closer to the standard in the future with the focus on monitoring in hot spots. All new NO2 monitors must begin operating no later than Jan. 1, 2013.

Sulfur dioxide, SO_2: EPA is proposing to revise the primary sulfur dioxide standard to a level of between 50 and 100 parts per billion measured over one hour. All counties in Oregon are predicted to be in compliance with the new standard range. EPA has also proposed to change the ambient air monitoring requirements for SO2. Oregon will be required to add one or two monitoring sites by Jan. 1, 2013.

Priority 3: Air Toxics

Oregon's Environmental Quality Commission adopted health benchmarks for 51 toxic air pollutants in 2006. DEQ is currently in the process of adding an additional benchmark for ethylbenzene, updating the benchmarks for lead and manganese, and clarifying that the mercury benchmark applies only to elemental mercury. These benchmarks allow DEQ to track progress in reducing public health risks from air toxics, and to identify high priority geographic areas and source categories for emission reduction work.

DEQ selected the Portland region as the state's first geographic area for development of an area-wide air toxics risk reduction plan. This project is called Portland Air Toxics Solutions. While the public health risk from air toxics in Portland is similar to the risk in other major urban areas throughout the nation, DEQ's priority is to minimize the overall risk. Portland Air Toxics Solutions will allow DEQ to focus new emission reduction efforts in the Portland area in a more comprehensive and science-based way.

DEQ convened the Portland Air Toxics Solutions Advisory Committee to develop and implement a ten-year air toxics emission reduction plan. This plan could include both mandatory and voluntary air toxics reduction measures needed to reduce risk. Because air toxics, particulates, greenhouse gases and compounds that form ozone precursors are produced by many of the same sources, Portland Air Toxics Solutions will link with other ongoing and future regional air pollution reduction efforts.

DEQ also focuses on reducing specific toxic air pollutant emissions. For example, DEQ continues to lead and support numerous projects to retrofit and replace older high-emitting diesel engines. All of these projects were supported by funding from EPA. Benzene is another prevalent toxic air pollutant in Oregon. In December 2008, DEQ adopted new statewide rules to control vapors at gasoline dispensing facilities that are more stringent than EPA's area source NESHAPs. DEQ also adopted a "No Topping Off" policy for gas stations as an additional measure to reduce the public's exposure to benzene.

Priority 4: Visibility

Oregon's regional haze plan was adopt by the Environmental Quality Commission in June 2009 and submitted to EPA for approval. The centerpiece of the plan is the requirement to install "best available

retrofit technology" or BART to reduce sulfur dioxide and nitrogen oxides at certain "grandfathered" industrial plants, including the PGE Boardman coal-fired power plant. The commission adopted very stringent emission control requirements for Boardman, requiring a reduction in SO2 and NOx emissions of over eighty percent by 2018. Recently, DEQ received a proposal from Portland General Electric that would allow the company to shut down its coal-fueled power plant in Boardman by 2020. DEQ officials will work closely with EPA and assess whether or not PGE's proposal meets federal regional haze plan requirements before considering new rules.

During the course of this PPA period DEQ will also begin preparing for the 2013 regional haze plan update. DEQ will work with the Western Regional Air Partnership, other states and federal land managers to investigate the possibility of additional haze reduction from non-BART industrial sources, agricultural burning smoke, and off-shore marine engines. The 2009 and 2013 regional haze plans are expected to provide significant visibility improvement for Oregon's Class-I areas as well as the Columbia River Gorge National Scenic Area.

Priority 5: Point Source Programs

Recently, EPA reviewed individual Oregon Title V permits and raised issues about permitted baseline and plant site emission levels. DEQ is working with EPA to review these permits and to look more broadly at Oregon's implementation of the New Source Review/Prevention of Significant Deterioration Program compared to the federal program.

DEQ is also working to update rules and the State Implementation Plan to incorporate NSR/PSD for fine particulate. Oregon's rules currently do not have a significant emission rate, PSD increment, significant impact level, or significant monitoring concentrations. These revisions are critical for implementation of the NSR/PSD program for fine particulate, and may need to be done through an emergency rulemaking if EPA revokes the PM10 surrogate policy within the next year.

Priority 6: Enforcement

DEQ and EPA will work collaboratively to implement EPA's Enforcement Goals and National Enforcement Initiatives. These goals are focused on vigorous civil and criminal enforcement that targets the most serious air hazards; resetting the relationship between EPA and DEQ in order to deliver our joint commitment to a clean and healthy environment; and improve the transparency of compliance and enforcement information made available to the public.

Priority 7: National Environmental Exchange

EPA and DEQ will cooperate in the development of the National Environmental Information Exchange Network. EPA is committed to working with and providing resources to DEQ for the development of protocols necessary to expand the number of data flows to priority national data systems via the Exchange Network. DEQ's Air Program will evaluate the feasibility of expanding its data flow to the exchange network and will initiate modifications necessary to report data to those systems whenever feasible.

EPA Support for DEQ Programs

EPA and Oregon work together to meet clean air goals cost-effectively by employing a variety of regulatory and voluntary approaches and programs. DEQ develops emission inventories, operates an EPA approved air monitoring network and writes the state implementation plans necessary to lay the foundation for improving and maintaining air quality in Oregon.

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

EPA primarily assists DEQ by providing financial assistance, guidance and new regulations. EPA also implements programs in Oregon that reduce pollution from a variety of sources such as trucks, buses, power plants and dry cleaners. In addition, EPA is charged with protecting air quality in Indian Country in Oregon.

EPA stands ready to facilitate DEQ's success in implementing the requirements of the Clean Air Act in Oregon. In order to meet the objectives and outcomes identified in the attached work plan EPA will work closely with DEQ to develop, implement and support programs necessary to maintain healthy air quality in Oregon.

Some of the work EPA will do to facilitate successful implementation of the Clean Air Act in Oregon includes:

- Working closely with DEQ to develop and revise plans necessary to address air quality in new nonattainment areas and existing attainment areas in Oregon.
- Updating DEQ on any new analyses of community, state, or regional air quality including risks associated with public health and the environment.
- Taking final action on redesignation requests within 18 months.
- Coordinating with DEQ on designating new nonattainment areas following a revision to any federal air quality standard.
- Updating DEQ on any new EPA Region 10 strategies for reducing emissions.
- Issuing delegation notices for New Source Performance Standards within three months of receiving a delegation request from DEQ.
- Partnering with DEQ to develop implementation strategies for NSPS and National Emissions Standards for Hazardous Air Pollutant programs.
- Processing NESHAP delegation requests within three months after they are received.
- Supporting Oregon's efforts to implement the Clean Diesel Initiative.
- Consulting with DEQ on applicability determinations, compliance determinations, and other case-by-case issues where EPA needs to make final decisions.
- Completing applicability determinations in a timely fashion.
- Providing Aerometric Information Retrieval System support and training.
- Reviewing and approving Best Available Retrofit Technology requirements in order to trigger federally enforceable compliance timelines.
- Informing DEQ about national plans for enforcement program oversight.
- Conducting compliance assurance and enforcement activities in support of EPA's National Clean Air Act compliance priorities (i.e. Prevention of Significant Deterioration/New Source Review and Air Toxics).

Evaluation Process

To insure that EPA and DEQ maintain open communications during this PPA, the two agencies agree to check-in every six months and have meetings as needed. In addition, grant update reports will be submitted every six months and will be used to determine if a check meeting or teleconference should be scheduled. At a minimum the update should include the following information:

- A discussion of accomplishments as measured against the work plan commitments.
- A discussion of the cumulative effectiveness of the work performed.
- A discussion of existing and potential problem areas,
- Suggestions for improvement including schedules if possible.

If the joint evaluation process reveals that sufficient progress under the work plan is not being made EPA and DEQ agree to negotiate a resolution that addresses the issue.

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

July 1, 2010 to June 30, 2012 PPA: Air Quality Program Work Plan

Total DEQ FTE for this component: 167.50. Resources budgeted: $36,839,623. Please refer to attached budget narrative for additional detail about FTE and resources.

Objective 1: Limit public exposure to criteria pollutants by consistently meeting and exceeding health-based air quality standards throughout the state.

OUTCOME MEASURES

- Monitoring demonstrates meeting National Ambient Air Quality Standards as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index.
- Percent of communities within DEQ's jurisdiction that have been redesignated from nonattainment to attainment with a National Ambient Air Quality Standard.

Outputs	1) DEQ will develop guidance and conduct a rulemaking to incorporate new federal Prevention of Significant Deterioration requirements for PM2.5 into Oregon's program. DEQ will propose a temporary rule in the summer of 2010 and a permanent rule by early 2011.
	2) DEQ will submit the Klamath Falls attainment plan by the required December 2012 deadline. Within this PPA period, the following milestones will lead to timely plan submittal: • Submit draft technical analysis protocol and obtain EPA approval by July 2010 • Complete emission inventory by November 2010 • Conduct modeling for attainment demonstration by May 2011 • Conduct meetings of the advisory committee during December 2010 – March 2012 • Present reduction strategies to the Klamath County Commission, local governments and other agencies (which could include state departments of forestry, agriculture and transportation) for their approval and adoption during May 2011 – December 2011 • Draft rules by March 2012 • Submit rules for public comment by May 2012 • Adopt rules by October 2012
	3) If monitoring data confirms that Lakeview's air quality exceeds federal standards for fine particulate, DEQ will initiate the steps required by EPA to bring the area into compliance.
	4) DEQ will work with at risk Oregon communities of Burns and Prineville (i.e. areas near the standard) to identify and implement early reduction measures to avoid violations of the new PM2.5 standard.
	5) When EPA promulgates a final ozone standard (expected by August 2010) DEQ will make state designation recommendations to EPA within the timeline specified in the final standard. Placeholder for possible ozone attainment plan work during this PPA period include (dates to be determined): • Develop a technical analysis plan • Begin emission inventories of non-attainment areas • Realign the ozone monitoring network to measure both the primary and secondary ozone standards
	6) DEQ will adjust the current SO_2 monitoring network as needed to implement the new SO_2 standard.
	7) DEQ will also track adoption of new federal standards for Lead and NO_2, and propose attainment/nonattainment designations pursuant to EPA schedules.

	8) DEQ will operate a total suspended particle lead monitor in McMinnville near the only source in Oregon with greater than 1 ton/year emissions. A second population orientated monitor for Portland will be installed and operational by Jan 2011.
	9) DEQ will develop a NO_2 monitoring network plan by July 1, 2012. Oregon currently has one NO_2 monitor at a site in Portland. The new rules require an additional site near a road-way in the Portland area. Work will include identifying a site location, developing the site and purchasing equipment for operation, which will begin no later than January 2013.
	10) DEQ will develop rules to implement 2009 legislation requiring removal of uncertified wood stoves upon sale of homes in Oregon. This rule will also ban the sale of exempt wood heating devices. Rules are scheduled for adoption in December 2010 and implementation will require public education and technical assistance to Oregon realtors.
	11) DEQ will revise the air quality monitoring network based on the five year monitoring network assessment due to EPA July 1, 2010.
Ongoing Activities	1) DEQ will continue to implement all strategies contained in the PM10, carbon monoxide and ozone maintenance areas including financial support for local woodstove programs. DEQ will discuss on-going monitoring needs and priorities in these nonattainment areas as part of our 2010 statewide monitoring strategy.
	2) DEQ will maintain existing control strategies as required in attainment and maintenance plans. DEQ will submit any changes in State Implementation Plan control strategies to EPA for approval.
	3) DEQ will notify EPA of exceedance events, in a timely manner consistent with EPA's Natural and Exceptional Events rule and will identify any data (PM 2.5 and PM 10) to be flagged.
	4) DEQ will coordinate with EPA on prioritizing State Implementation Plan review and approvals, and setting priorities for the coming year. EPA and DEQ will communicate at least once a year (Fall) to discuss the status of submitted plans and the projected schedule for future submittals.
	5) DEQ will develop initial development plans for each State Implementation Plan submittal approximately six months before EPA review is needed. The development plan will include schedules that will be negotiated with EPA. EPA and DEQ will process all development plans in accordance with the State Implementation Plan Process Improvement Plan, dated April 15, 2002.
	6) DEQ will operate and maintain the monitoring network plan according to 40 CFR Part 58 requirements and EPA approved Quality Assurance plans.
	7) DEQ will participate in national and regional monitoring quality assurance activities including the Performance Evaluation Program and through-the-probe testing.
	8) DEQ will maintain Quality Assurance Project Plans for each pollutant it monitors for reporting to EPA.
	9) DEQ will contribute occasional staff time to NWAIRQUEST for the continued development and application of emissions data and air quality models, including the Community Multi-scale Air Quality model, to support ozone and particulate matter forecasting models for use by the regional partnership.
Reporting	1) DEQ will submit nephelometer data converted to PM2.5 values and ozone values to AIRNow for all nephelometer and ozone sites. Hourly average data is submitted to AIRNow every hour.
	2) DEQ will report ambient air quality data to the EPA Air Quality Subsystem quarterly, as required by 40 CFR Part 58.
	3) DEQ will continue reporting point source annual emissions as defined by 40 CFR Part 51. This incorporates the Consolidated Emissions Reporting Rule elements that are currently reported by sources, excluding Lane Regional Air Protection Agency.
Objective 2: Reduce greenhouse gas emissions that contribute to climate change.	

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

OUTCOME MEASURES

- By 2010, arrest the growth of Oregon's greenhouse gas emissions and begin to reduce greenhouse gas emissions.
- By 2020, achieve greenhouse gas emission levels that are 10 percent below 1990 levels.
- By 2050, achieve greenhouse gas emission levels that are at least 75 percent below 1990 levels.

Outputs	1) DEQ will propose revisions to Oregon's greenhouse gas (GHG) reporting rule for adoption in October 2010. Rule revisions and implementation work during this PPA period include: • Expand greenhouse gas reporting to include imported electricity and fuel suppliers • Establish permanent greenhouse gas reporting fees to fund the program • Present a report on fees to the 2011 Legislature • Approve new reporting protocols as needed • Assist sources with GHG reporting • Develop and populate an Oregon GHG database beginning in 2010 • Review annual state GHG reports from affected Oregon sources over 2500 metric tons of CO_2 equivalent.
	2) DEQ will inform Oregon sources about the EPA mandatory reporting rule through written notification and training seminars. DEQ will investigate how to streamline the dual reporting, beginning in 2011, through communication with EPA and with the development of a system by which Oregon can submit greenhouse gas data to EPA and retrieve the data reported directly to EPA by sources over 25,000 metric tons of CO_2 equivalent.
	3) DEQ will develop guidance and propose rule revisions to incorporate greenhouse gases into Oregon's New Source Review/Prevention of Significant Deterioration and permitting programs by June 2011. The permitting rules will be based on the final version of EPA's greenhouse gas tailoring rule. In addition, DEQ will seek legislative authority to charge Title V fees for greenhouse gases as a regulated pollutant during the 2011 legislative session.
	4) DEQ will seek delegation of New Source Performance Standards promulgated by EPA to address greenhouse gas emissions.
	5) DEQ will develop a rule to implement low carbon fuel standard legislation to reduce the carbon intensity of Oregon's fuel by 10 percent by 2020. Work during this PPA period includes: • Seek input from a large diverse advisory committee throughout 2010 • Contract with experts to provide an economic analysis of the standard and various technical analysis using Region 10 energy funding • Develop a technical/policy report and a draft rule by December 2010 • Inform the public, stakeholders and the Oregon Legislature about the draft rule • Propose a final rule in 2011 • Prepare for implementation of the standard
	6) In 2010, DEQ will update Oregon's Low Emission Vehicle rules to incorporate recent changes made by California and to align with recent federal rules. The rule changes will allow compliance with federal greenhouse gas emission standards for vehicles to be treated as compliance with OR LEV through 2016.
	7) DEQ along with other state agencies is providing information to develop state goals for greenhouse gas reduction from motor vehicles for each of Oregon's metropolitan planning organizations. Information is required by March 1, 2011.
	8) DEQ will evaluate the feasibility of other greenhouse gas reduction measures, such as those identified by California's early action list for which DEQ has existing authority to implement. DEQ will complete this evaluation by June 2012.

Ongoing Activities	1)	DEQ will participate in collective efforts to characterize and reduce GHG emissions, such as the Western Climate Initiative, The Climate Registry, the State Voice Group, the National Association of Clean Air Agencies Global Warming Committee, Oregon workgroups and interagency groups such as the Oregon Global Warming Commission and several of its subcommittees, the Renewable Energy Work Group, and the Governor's Alternative Fuel Vehicle Infrastructure Working Group as well as reduction efforts by Region 10 EPA.
	2)	DEQ will continue to implement the Oregon Low Emission Vehicle Program, including providing technical assistance to automobile dealers and conducting compliance verification.
Objective 3: Protect human health and the environment through ongoing Air Quality improvement strategies.		
OUTCOME MEASURES • Monitoring demonstrates meeting National Ambient Air Quality Standards as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index. • The National Emissions Inventory results will show a decrease in emissions over time. • No worsening of visibility on the clearest days in Crater Lake National Park and Oregon's wilderness areas.		
Outputs	1)	DEQ will submit periodic delegation request for all adopted New Source Performance Standards. The request will generally be for all standards adopted by EPA and in the CFR published July 1 of the previous year.
	2)	DEQ will continue to implement the area source National Emission Standards for Hazardous Air Pollutants program, by issuing permits or registration and performing periodic inspections. DEQ will also perform outreach and technical assistance to help area sources comply with the regulations.
	3)	DEQ will develop guidance for establishing permit limits that are necessary to address source-specific air quality impacts using general rule authority to address nuisance conditions.
	4)	DEQ's Vehicle Inspection Program is piloting self-service testing with the Oregon Department of Motor Vehicles and remote On Board Diagnostics (OBD) testing with the Clackamas County fleet to evaluate the added customer service value. DEQ will evaluate these pilots and share the results with EPA by the end of 2010.
Ongoing Activities	1)	DEQ will continue to implement the Title V permitting program.
	2)	DEQ and EPA will work to develop solutions to Point Source Emission Limits implementation issues.
	3)	DEQ will continue to implement the Air Contaminant Discharge Permit Program.
	4)	DEQ will continue to run the Small Business Assistance Program including having a Small Business Ombudsman and Compliance Advisory Panel. DEQ will provide training and technical assistance to small businesses to help them reduce air emissions and comply with air quality rules.
	5)	DEQ will implement the Air Pollution Advisory Program. In the summer, DEQ will forecast daily and issue ozone pollution advisories in Portland, Salem and Medford. The rest of the year, DEQ will forecast daily and issue PM 2.5 pollution advisories statewide.
	6)	DEQ will provide outreach and technical support to attainment and unclassified areas. Typical activities include assistance to, or coordination with, local air quality committees and governments on woodstove, open burning, burn barrels, construction, road sanding, and land clearing and grading.
	7)	DEQ will implement the Employee Commute Options program in the Portland Air Quality Maintenance Area. Activities include: provide assistance to affected employers, review compliance status, document and respond to violations, conduct outreach and education, maintain rules and improve the database.
	8)	DEQ will implement the tanker certification program by providing assistance to gasoline transporters, issuing tanker certifications and maintaining the database.
	9)	DEQ will provide on-going assistance to local, state, and federal agencies on transportation issues, travel modeling consultation, mobile emission estimates and conformity regulations/analysis.

	10) DEQ will implement the Vehicle Inspection Program in the Portland and Medford areas.
	11) DEQ will implement the Open Burning Program, responding only to high priority burning events and those requiring enforcement actions.
Reporting	1) DEQ will continue to submit New Source Review/Prevention of Significant Deterioration information to EPA including applications, incomplete application letters, updated application information, technical analysis, draft permits and final permits.
	2) DEQ will enter RACT/BACT/LAER determinations into the clearinghouse database within 90 days of permit issuance.
	3) DEQ will submit annual and biennial Vehicle Inspection Program reports in compliance with Title 40, Chapter 1, Part 51, Subpart S, Sec. 51.366 of the Clean Air Act. DEQ will submit this report by July of each year and it will contain statistical analysis from data collected from January through December of the previous year.
	4) DEQ will provide EPA's Air Quality Subsystem with data quarterly, submitted within 120 days of the end of the quarter. DEQ will certify the previous year's air toxics data by June 30 of each year.
	5) DEQ will work with EPA to understand and implement the new information technology reporting procedures and requirements including the development of facility profiles and the use of the Emissions Inventory System. DEQ will report on 2008 emissions for point and non-point source categories as defined in 40 CFR Part 51 by June 1, 2010. DEQ will report criteria and toxic pollutant emissions to EPA, by county, for a comprehensive list of sources and source categories. This incorporates the Air Emissions Reporting Requirements. DEQ will also report 2009 and 2010 Type 'A' point source emissions by June 1, 2011 and 2012, respectively.
Objective 4: Limit public exposure to toxic air pollution.	
OUTCOME MEASURES • The National Emission Inventory results will show a decrease in emissions over time. • A decline in the percentage of Oregonians at risk from toxic air pollutions that contribute to cancer and respiratory problems. • Diesel emissions are reduced by 160 tons/year..	
Outputs	1) DEQ will continue the Portland Air Toxics Solutions Advisory Committee and develop a plan to reduce air toxics in Portland to benchmark levels by 2017. Work during this PPA period includes: • Complete emissions inventory in 2010 • Complete dispersion and exposure modeling in 2010 • Conduct advisory committee meetings throughout 2010 • Develop and evaluate strategies to meet the target emissions reduction in 2011 • Develop the emission reduction plan in 2011 and communicate the plan to stakeholders • Initiate implementation rules if needed • Evaluate the applicability of Portland strategies for implementation as categorical approaches to toxics reduction state-wide
	2) DEQ programs will work together to develop and implement DEQ's agency toxics reduction program. The agency program will help prioritize toxics reduction work across media boundaries, including consideration of air depositions of air toxics on water and land.
	3) DEQ will compare the air toxics emissions that companies report to the Toxic Release Inventory to DEQ's calculated emission inventory data to support TRI improvements as well as state emission inventory knowledge.
	4) DEQ will continue to implement the Oregon Clean Diesel grant and tax credit program.
	5) DEQ will evaluate the feasibility of adopting on-road diesel emission standards by December 2011.
	6) DEQ will propose rules to implement the legislative ban on most field burning in the Willamette Valley in August 2010. The new rules will allow grass seed growers to apply for approval to conduct "emergency burning" due to disease or insect infestation on a small number of acres.

Ongoing Activities	1) DEQ will periodically submit National Emission Standards for Hazardous Air Pollutant delegation request to EPA. The request will generally be for all NESHAPs adopted by EPA and in the CFR published July 1 of the previous year.
	2) DEQ will operate and maintain two state funded air toxics monitors. The sites are currently located in Medford and Salem but may be moved to collect data from additional locations.
	3) DEQ will carry out the asbestos National Emission Standard for Hazardous Air Pollutant. Activities include: certification, accreditation, notification, inspections, compliance and enforcement.
	4) DEQ will continue to implement National Emission Standards for Hazardous Air Pollutants rules by incorporating them into air permits, providing technical assistance, conducting inspections, evaluating compliance and taking enforcement actions when necessary.
	5) DEQ and EPA will maximize information sharing and explore innovative implementation options for area source Maximum Achievable Control Technologies or MACT.
	6) DEQ will continue to participate in West Coast Diesel Collaborative workgroups to build partnerships that will help DEQ have a successful program.
	7) DEQ will design and execute a public communications plan in coordination with EPA's release of the next National Air Toxics Assessment.
Reporting	1) DEQ will provide EPA's Air Quality Subsystem with air toxics data quarterly, submitted within 120 days of the end of the quarter.

Objective 5: Improve visibility in federal Class I Areas, and work to protect visibility in Columbia River Gorge National Scenic Area.

OUTCOME MEASURE

- No worsening of visibility on the clearest days in Crater Lake National Park and Oregon's wilderness areas.

Outputs	1) Late in 2010, DEQ will begin work on the next regional haze plan due in 2013. Initial work will include: • Information gathering by consulting with federal land managers, EPA and the Western Regional Air Partnership to identify possible emission sources that can provide reductions. • Develop technical (emission inventory and modeling) plan.
	2) DEQ will submit a final air quality strategy and report to the Columbia River Gorge Commission in mid 2010.
Ongoing Activities	1) DEQ has been reviewing Western Regional Air Partnership work products and will continue to do so over the next several years, with the objective to incorporate new information from that group as part of the scheduled update to the regional haze plan in 2013.
	2) DEQ will continue to operate the existing visibility monitoring network.

Objective 6: Maintain an effective compliance assurance program that contributes to prevention and reduction of pollution and protection of public health.

OUTCOME MEASURES

- Compliance and enforcement program meets the national goals set forth in the Clean Air Act Compliance Monitoring Strategy and the Timely and Appropriate Enforcement Response to High Priority Violations.

Outputs	1) The compliance component of the air program will be conducted in accordance with the compliance assurance agreement dated May 2002. DEQ will submit the biennial Compliance Monitoring Strategy, with annual updates by June 1st.

	2) DEQ will establish expedited enforcement for the Dry Cleaner Program by December 2010.
	3) DEQ will assist EPA in completing the State Review Framework. Work will include meetings, preparation for file reviews by EPA, commenting on the draft review report and completing follow up work necessary to address findings made during the review.
Ongoing Activities	1) DEQ and EPA will participate in an annual compliance planning meeting. Discussion topics for the meeting will include: work share opportunities; roles and responsibilities; national, regional and state priorities; trends in data; changes in national guidance; changes in DEQ compliance and enforcement guidance; joint compliance and enforcement activities and planned inspection activities (i.e. mentoring, oversight, joint).
	2) DEQ and EPA will participate in periodic conference calls to discuss high priority violations, as well as policy and strategy issues.
	3) Violations detected at major sources will be resolved by DEQ in accordance with the EPA "Timely and Appropriate Enforcement Response Guidance for High Priority Violations."
	4) Each year DEQ will work with EPA to ensure that compliance and enforcement data (annual data set) is accurate in anticipation of the annual public compliance and enforcement data release through EPA's website, Enforcement and Compliance History Online.
Reporting	1) DEQ will submit a monthly report on the status of high priority violations.
	2) DEQ will continue utilizing the universal interface for monthly reporting of compliance evaluations, compliance certifications, and stack tests. If necessary, DEQ will conduct a special universal interface upload to AIRS Facility Subsystem for federal second and fourth quarter reporting.
	3) DEQ will provide AIRS Facility Subsystem data in a timely fashion, completing the annual input by the required timeframe.
	4) DEQ will continue to enter the applicable Subparts for New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants and Maximum Achievable Control Technology sources in AIRS Facility Subsystem.

HAZARDOUS WASTE PROGRAM

The purpose of DEQ's Hazardous Waste Program is to protect human health and the environment by reducing the generation, and ensuring the safe management, of hazardous waste and toxic chemicals. The program focuses on the following priorities to accomplish its purpose:

- Ensuring compliance with hazardous waste regulations,
- Promoting the reduction of the amount of waste generated and the amount of toxic material used by facilities, and
- Using strategic approaches, including partnerships, sector targeting, and geographic priorities, to achieve compliance and environmental improvements.

The Hazardous Waste Program influences the actions of hundreds of Oregon businesses and organizations through compliance inspections, technical assistance site visits, trainings, and general education. These activities are key components of the program's integrated strategy.

The hazardous waste work plan highlights key activities DEQ and EPA commit to in implementing these priorities. The following describes the collaborative approaches that will be employed to achieve program priorities.

Priority: Promote Safe Management of Hazardous Waste

Most of the program's resources are devoted to ensuring safe management of hazardous waste, primarily through compliance inspections, technical assistance site visits, compliance training, corrective action, and permits. DEQ acknowledges the importance of enforcement actions for significant non-compliers to deter non-compliance in the regulated community, and continues to implement a strong enforcement program for this purpose. Compliance efforts are primarily focused on large quantity generators, small quantity generators, treatment/storage/disposal facilities, high priority complaints, and non-notifiers.

DEQ and EPA will continue to collaborate on cleanup efforts focused on RCRA corrective action sites in the state of Oregon. Based on the 2009 expansion of the 2020 Corrective Action Universe to include sites ranked low and medium priority, DEQ is the lead agency for 22 sites, while the EPA Region 10 Corrective Action and Permits Team has lead for one site in Oregon. EPA's national 2020 Corrective Action Goals are to achieve a 95 percent completion rate on each of the three primary corrective action measures; human health exposures under control, migration of contaminated groundwater under control, and construction of final cleanup remedies. DEQ and EPA will work together to develop annual goals and work priorities to ensure that the state of Oregon contributes towards achieving the national goals.

The EPA Office of Solid Waste and Emergency Response emphasizes the importance of cross-program revitalization measures to promote and communicate cleanup and revitalization accomplishments and associated benefits to society. These acres-based measures enable the Office of Solid Waste and Emergency Response to describe the overall scope of sites its cleanup programs address. Region 10 will work with Oregon DEQ to promote making RCRA "ready for anticipated use" determinations in support of these cross-program revitalization measures. RAU determinations will be recorded in RCRA Info through the CA800 event code and posted on the Region 10 corrective action web site. Eight RAU cases have been documented so far, out of the 23 facilities in the Oregon corrective action baseline.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Priority: Promote Pollution Prevention

While ensuring safe management of hazardous waste is critically important, it is equally important to work with businesses to reduce the amount of waste generated and to reduce the amount of toxic materials used. The agencies will coordinate efforts to achieve the national environmental objective of an increase in the pounds of pollution reduced, treated, or eliminated. For example, collaboration between DEQ's Toxics Use Reduction and EPA's National Partnership for Environmental Priorities programs will help generators reduce their hazardous waste output. The Hazardous Waste Program also will work together with the other DEQ divisions to develop, fund and implement DEQ's agency toxics reduction strategy, which will help prioritize toxics reduction work across media boundaries.

In addition, should additional funding become available to DEQ under any of the various EPA grant programs to support DEQ's LEAN work, EPA and DEQ will investigate making this PPA will be the vehicle for such funding. Examples of work in this area include pilots that:

- Reduce the amount of toxics used
- Substitute less harmful chemicals
- Reduce the amounts of chemicals needed in a process
- Encourage recycling, reuse and reduction where possible
- Encourage participation in voluntary reduction programs.

Priority: Use Strategic Approaches

In a time of diminishing resources, it is essential that we leverage limited resources to maximize the environmental gains we are able to influence. Two important strategic approaches to accomplish this include forming partnerships and becoming more proficient at facilitating compliance and beyond-compliance efforts.

The Hazardous Waste Program's integrated compliance strategy emphasizes the value of forming collaborative partnerships with Oregon businesses, communities, governmental agencies and other programs within DEQ, to produce environmental results. This PPA work plan reflects the priorities and goals of the Hazardous Waste Program, particularly in compliance, toxic use reduction and in increasing the number of businesses that improve their overall environmental performance. The PPA also addresses resource allocations in the following areas:

Large Quantity Generators and Compliance Inspections

DEQ will inspect 20 percent of large quantity generators per year. The targets will be based on the most recent state annual generator report data available, which in alternate years is the same data used for the national Biennial Report of hazardous waste generation and management. Because DEQ plans inspections on a calendar year basis and EPA tracks information by federal fiscal year, disconnects may occur in reporting. To address these, DEQ will report to EPA the average number of inspections per year during the preceding two federal fiscal years. The averages will be used to help alleviate concerns, if any, arising from EPA's national inspection data pull in November of each year.

EPA State Review Framework

In 2007, DEQ participated in an EPA-lead evaluation of the state's compliance and enforcement program under the National State Review Framework. In the coming period, EPA and DEQ will participate in round two of the national state review framework strategy. EPA will complete its review of Oregon's authorized RCRA compliance and enforcement program in 2011.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Rules and Authorization

DEQ's last major adoption of Federal rules covered rules promulgated through June 30, 2007. During the performance period of this grant, DEQ will continue to review all rules subsequently adopted by EPA, with a view toward their adoption. However, DEQ does not foresee rulemaking before 2011 at the earliest. DEQ's authorization revision application became final on Jan. 7, 2010 and does not anticipate further revisions during the term of this agreement.

National Enforcement Priorities

DEQ and EPA will work collaboratively to implement the OECA Compliance Monitoring Strategy for the RCRA Subtitle C Program (January 2010). Region 10 priorities will be based on: national initiative sectors; environmentally sensitive areas; Indian country; emerging sectors; entities with violations in multiple states; entities referred by the state; areas with environmental justice concerns. As specific plans and activities are identified, EPA will coordinate roles and responsibilities with DEQ. DEQ will make an effort to contribute to OECA national sector priorities and will represent state concerns, but state resources may be allocated to implementing state environmental priorities first.

Joint Agreements on Agency Communication and Coordination

DEQ and EPA have established agreements on information sharing, communication and reporting. During the term of this agreement, the agencies will begin a review of these agreements, and either reaffirm, update or delete them as appropriate. The agencies will continue to hold quarterly meetings to share our progress, plan work efforts and resolve issues. Disputes on roles and responsibilities will be elevated through the normal lines of communication between EPA and DEQ management for resolution.

At the end of the first fiscal year, DEQ and EPA will check in on progress and negotiate any shifts in resources to reflect priority activities for the following year. The agencies agree to modify the work plan based on shifts in priority work or the addition of new work, such as EPA's enforcement priorities, and to accommodate changes to the hazardous waste program budget that may occur. At the end of the agreement, each agency will provide a report summarizing key accomplishments during the duration of the agreement.

The following specific agreements are incorporated by reference:

- DEQ/EPA Memorandum of Agreement – 3/19/2002
- EPA RCRA Inspections in Oregon: Definitions and Agency Roles – 3/28/2001
- Issue Resolution Process Guidelines – 11/8/1999
- Corrective Action Communication Strategy – 10/2000
- 2003 RCRAInfo Memorandum of Understanding – 4/30/2003

DEQ and EPA agree to review these agreements on a regular schedule, beginning in July, 2010. At the completion of each review, a follow-up review will be scheduled in four years

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Total DEQ FTE for this component: 6.42. Resources budgeted: $1,852,049. Please refer to attached budget narrative for additional detail about FTE and resources.

Program Activity: Corrective Action

DEQ HW Activities	EPA Activities	Target Date	Program Measures
• Univar Portland (VWR) – technical coordination as needed	• EPA-lead (Holly A.); implement modified remedy	• June 30, 2012	• N/A
• Baron Blakeslee – complete remedy construction	• Technical assistance	• Dec. 31, 2010	• CA550
• Permapost – complete remedy selection	• Technical assistance	• June 30, 2012	• CA400
• Complete environmental indicator forms for Cascade Wood Products, Roseberg Forest Products, and Pacific Fabricators	• Technical Assistance	• Sept. 30, 2010	• CA725, CA750
• NW Industries – complete corrective action	• Technical assistance	• Sept. 30, 2010	• CA999

Program Activity: Permitting

DEQ HW Activities	EPA Activities	Target Date	Program Measures
• Lockheed Martin – Issue final renewal permit	• Timely review of permit	• Sept. 30, 2010	• Controls in place
• Umatilla Chemical Agent Disposal –timely review of permit	• Issue final renewal permit	• June 30, 2012	• Controls in place
• Evanite – Issue final renewal permit	• Timely review of permit	• June 30, 2012	• Controls in place

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Program Activity: Compliance Inspections and Enforcement			
DEQ HW Activities	**EPA Activities**	**Target Date**	**Program Measures**
• Conduct TSD and large quantity generator inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions. Report to EPA by October 30 of each year.	• Conduct TSD and large quantity generator inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions. Coordinate specific sites and dates with DEQ.	• Annually by Oct 30	• Number of inspections (all TSDs and 20 percent of 2009 large quantity generator universe), and 9 EPA inspections in the first year. Second year targets to be negotiated.
• Inspect small quantity generators , conditionally exempt small quantity generators (CEGs), high priority complaints, and non-notifiers	• Provide technical assistance as appropriate.	• Continuous	• Percent coverage of small quantity generator and other universes (no requirement established)
• Ensure that SNC designations are made appropriately and that data is updated according to the SNC policy.	• Discuss SNC designations and watch list facility enforcement responses	• Quarterly	
Program Activity: Program Operation			
DEQ HW Activities	**EPA Activities**	**Target Date**	**Program Measures**
• Support EPA in completing the financial assurance (FA) compliance initiative	• Follow-up to non-compliance in consultation with DEQ	• Dec. 31, 2010	• Compliance determinations and appropriate enforcement
• Review 5 joint agreements on agency communication and coordination	• Review 5 joint agreements on agency communication and coordination	• Begin July 1, 2010	• All agreements reaffirmed, updated or deleted
• Work with EPA on the next State Review Framework initiative	• Conduct Round 2 of the State review framework	• Sept. 30, 2011	• Findings and recommendations to State
• Begin work with the Exchange Network Coordinator at DEQ to plan to use the National Environmental Information	• Facilitate participation in the Exchange Network grant process and provide CDX technical assistance.	• November 1, 2010	• Secure, Internet-and standards-based way to support electronic data reporting, sharing, and

Exchange Network to transfer data to RCRAInfo.			integration of regulatory environmental data.
Program Activity: Innovation and Toxic Use Reduction			
DEQ HW Activities	**EPA Activities**	**Target Date**	**Program Measures**
• Continue to participate in the development of the DEQ Toxics Reduction Strategy • Work to incorporate future RCC and LEAN grants into PPA for administrative purposes	• Provide technical review and timely comment as requested • Evaluate grant amendments for future RCC, LEAN or similar work funding into the PPA	• Dec. 31, 2010 • June 30, 2012	• Integrated strategy • Multiple tools to help achieve pollution prevention goals

WATER QUALITY PROGRAM

The Water Quality Program's mission is to protect and improve Oregon's water quality. Protecting Oregon's rivers, lakes, streams and groundwater quality keeps these waters safe for a multitude of beneficial uses such as drinking water, fish habitat, recreation and irrigation. This is accomplished by developing and implementing water quality standards and clean water plans, regulating sewage treatment systems and industrial dischargers, collecting and evaluating water quality data, providing grants and technical assistance to reduce nonpoint pollution sources, and providing loans to communities to build treatment facilities. The availability of clean and healthy water is critical to Oregon's environment and economy. In recent years, state and federal funding for DEQ's clean water work has declined – both in real dollars and in what those dollars buy.

The funding decline, combined with the growing complexity of federal Clean Water Act requirements and costly third party litigation, has eroded DEQ's resources for developing water quality standards, conducting water quality monitoring, developing water quality pollution loads (i.e., Total Maximum Daily Loads or TMDLs), issuing and enforcing permits, and protecting groundwater. Less visible, but just as important, DEQ's Water Quality Program "infrastructure," including its data management systems, has significantly eroded.

In setting priorities, DEQ must consider its resource constraints. The Water Quality Program has been focusing on focus on five priority areas over the past five years so we can maximize our effectiveness in protecting Oregon's water quality.

High-Priority Outcome #1: DEQ delivers on its Blue Ribbon Committee commitments to improve the Water Quality Permit Program.

In 2001, Oregon's backlog of expired water quality permits was the highest in the nation, with about 60 percent of major National Pollutant Discharge Elimination System individual permits awaiting renewal. The backlog was partly due to the increasing complexity of permitting standards and the expanding permit universe, which increased from 2,700 permittees in 1994 to 4,000 in 2001.

In 2002 DEQ convened a Blue Ribbon Committee to recommend improvements to the state's wastewater permitting program. The committee's July 2004 report includes the following recommendations:

- Institute program improvements that promote efficiency, effectiveness and consistency.
- Implement new accountability standards.
- Ensure stable, ongoing funding that improves fee predictability for rate payers and revenue for budget management.

Following the Blue Ribbon Committee recommendations, DEQ is:

- Continuing to reduce the water quality permit backlog,
- Implementing the program on a watershed basis,
- Working toward improved compliance reviews and enforcement actions,
- Reinvigorating permit program policy development and improving statewide program guidance,
- Improving data management systems, and
- Instituting quarterly reports on progress.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

High-Priority Outcome #2: DEQ meets the May 11, 2000, federal Court Order requiring a specific number of TMDLs to be completed by 2008 and 2010.

Clean and healthy water is critical to Oregon's environment and economy. Total maximum daily loads are clean water plans that tell us how much pollution must be reduced in order for unhealthy waters to meet clean water standards. Governments, citizens and businesses are all responsible for the health of Oregon's rivers, lakes and streams and meeting the targets established in TMDLs.

DEQ's water quality monitoring shows that TMDLs have been effective in improving water quality. Nine out of the 10 "most improved" waters in Oregon are in watersheds where TMDLs have been adopted and implemented.

DEQ is on target to meet the May 11, 2000, federal court order that resulted from a lawsuit filed by environmental groups against the EPA regarding timely completion of TMDLs. By the end of 2010, DEQ will issue the required number TMDLs, thus the requirements of this court order will be met.

High-Priority Outcome #3: Beginning in 2011, develop and implement watershed basin plans to assess water quality conditions that include monitoring and actions to address problems identified.

This work will integrate most water quality program activities including clean water plans, nonpoint source, onsite septic system, permits, monitoring, and others. DEQ will work in three basins each year one in each region starting with the Deschutes River basin in Eastern Oregon and likely two basins on the Oregon coast. Each basin will start with an assessment of the current data and identify the issues/problems in each basin. Data review meetings will be held with stakeholders and gaps in information will be identified. Eventually, this effort will identify the priority needs for each basin from point source monitoring and permit requirements to nonpoint source problems and solutions.

High-Priority Outcome #4: The Water Quality Program is a high-performing team.

DEQ is fortunate to have highly skilled staff and managers. Many programs, such as the TMDL and Water Quality Monitoring Programs are nationally known for their cutting-edge work. The goal of outcome #4 is to continue to build on the existing strengths of program staff and to prepare for the future. We strive for a Water Quality Program staffed with experts who have high morale and provide excellent customer service. Areas of focus will be performance management, developing staff expertise, and succession planning to ensure that we keep staff and managers, and develop the next generation of leaders for the program. For example, DEQ will establish a training program for its permit writers to cover all aspects of permit writing, inspection, and compliance/enforcement.

High-priority Outcome #5: Continued implementation of the Water Quality Strategic Plan for Infrastructure.

Fully functioning and updated water quality data systems are critical to the Water Quality Program's success. DEQ developed a Water Quality Strategic Plan for Infrastructure to guide investments to support effective and efficient work performance by staff and managers.

Well-developed and maintained data systems provide easier, faster access to information and high-quality information. Well-run systems also cut down on time wasted looking for dispersed information, provide institutional memory, document decisions and the rationale behind them, and allow quicker response to internal and external requests for information. Key areas of performance are accessibility of permits and permit documents to staff and the public as well as review of discharge monitoring reports in a timely fashion. In addition, future performance will increase facility and river water quality data accessibility, particularly toxics monitoring data.

What does it mean if some work is not identified as a high-priority outcome?

While all of DEQ's clean water work is important, our goal is to deliver results for our priority outcomes. If doing other important work means we will not be able to deliver on the priority outcomes, DEQ will re-evaluate our commitments. Some important work may be delayed in order to accomplish these five high-priority outcomes.

Goals of the high-priority outcome work

- Provide focus on work that will protect and improve Oregon's water quality.
- The Water Quality Program is staffed with experts who have high morale and provide excellent customer service.
- The program continually improves and becomes more efficient due to appropriate and timely investments such as data management systems.
- The program addresses emerging water quality issues in Oregon before those issues become a crisis (either real or perceived).
- The program performs its core regulatory functions efficiently and effectively.
- The program recognizes that regulation can prevent the worst but may not achieve the best, and develops partnerships, incentives and "beyond regulation" approaches to protecting Oregon's water.

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Total DEQ FTE for this component: 208. Of this total, # of FTE supported by the PPG: 47. Resources budgeted: $11,964,859. Please refer to attached budget narrative for additional detail about FTE and resources.

Element 1: Water Quality Standards and Assessments
DEQ contact: Jennifer Wigal
EPA contact: Jannine Jennings

Establishing water quality standards for waters of the United States in Oregon is at the core of DEQ's water quality activities. Standards include beneficial uses of water, such as drinking, aquatic life, recreation, etc, and the water quality criteria designed to protect those uses. The Water Quality Program then acts to protect and restore water quality by implementing those standards. The staff who work on standards perform the following activities:

- Conduct triennial standards reviews to establish and update scientifically based water quality standards and related policies.
- Develop and maintain internal directives for and provide guidance to regional and headquarters staff on implementation of water quality standards in various water programs.
- Identify waterbodies not meeting water quality standards.
- Develop integrated reports (303(d) list, 305(b) report).

Environmental Outcome: Adoption and application of appropriate water quality standards will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by water quality monitoring and other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.1	Work on revising the fish consumption rate, revising Oregon's human health water quality standards and adopting related implementation policies.	Work in collaboration with DEQ to provide timely support as needed, particularly on implementation policies and related permitting procedures. Act on the submitted WQS revisions within CWA timelines.	Final Recommendations to the Environmental Quality Commission for adoption of new standards. DEQ is scheduled to propose rules for public comment in early of 2011.	8/31/11	Partial	WQ-3a	
1.2	Develop Internal Management Directive (IMD) addressing implementation of variances in NPDES permits	EPA WQS and Permits staff work in collaboration with DEQ's WQS and Permits staff to provide timely input on draft IMD.	Draft IMD at time of proposed WQS rule; final draft IMD at time of WQS rule adoption	12/15/2010; 6/30/11	Partial		

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#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.3	Draft memorandum of understanding regarding DEQ adoption and EPA approval of WQS variances	EPA staff work in collaboration with DEQ staff to develop MOU.	Draft MOU at time of proposed WQS rule; final MOU at time of final WQS rule adoption	12/15/2010; 6/30/11	Partial		
1.4	Work to revise the water quality standards for turbidity.	Provide early review of proposed rule revisions for turbidity. Provide coordination with the Services on early review for revisions that may require consultation.	Final recommendations for revised standards for turbidity presented to the Environmental Quality Commission for adoption.	8/31/11	Partial		DEQ will coordinate closely with EPA and seek input from the Services in order to ensure timely ESA consultation and EPA approval of revised criteria.
1.5	Technical support for litigation currently including: temperature and toxics. DEQ will provide supporting information developed during standards review, affidavits, declarations and depositions as warranted and any other assistance requested by our attorneys. Participate in settlement negotiations if warranted.	EPA will establish work plan which identifies information needed from DEQ and a schedule for developing information.	Defense of approved standards. Possibly consent decrees or court orders that require future action by DEQ.	Ongoing	Partial		Time schedules, workload and results are indeterminate and not under agency control. We will need to adjust schedules and expectations depending on progress of litigation and results of these cases.
1.6	Resubmit compliance schedule provision and IMD following completion of IMD.	Complete ESA consultation, evaluate provision following completion of ESA consultation.		06/30/12	Partial		
1.7	DEQ will provide information as requested by EPA to facilitate their action on submitted standards.	EPA action on DEQ's 2007 temperature standards revisions.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	12/30/10	Partial		

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.8	DEQ will provide information as requested by EPA and participate in discussions and negotiations related to ESA consultation and any proposed State conservation measures.	EPA action on DEQ's toxic pollutants criteria for fish and aquatic life.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	12/30/12	Partial		
1.9	Conduct background research and develop a plan for how Oregon will address water quality issues in its CWA programs related to nutrients.	Assistance with data, analysis and federal requirements related to addressing nutrient impacts to beneficial uses.	Problem description and staff recommendations from addressing nutrients	6/30/11	Partial		
1.10	Review water quality standards, including use designations, related to application of bacteria criterion for shellfish harvesting.		Identify an approach for determining what waters are subject to the bacteria criteria for shellfish harvesting.	6/30/12	Partial		
1.11	Identify and plan next set of standards work to be completed and coordinate priorities and work schedules with EPA	Work with Oregon DEQ to complete Framework for Standards review and EPA action. Provide input to DEQ on standards work needs and priorities, resource needs, and coordination with EPA and the Services.	Standards work plan that identifies needs and priorities and summarizes public input	12/31/2011	Partial		
1.12	DEQ will submit Oregon's 2010 303(d) list to EPA. DEQ will update Oregon's Integrated Report on water quality and 303(d) List pending	EPA will review and approve updates to 303(d). EPA will extract information from Oregon's databases to populate EPA databases (WATERS, ADB, NAD) and compile	Oregon's 2010 Integrated Report and 303(d) list, and list of TMDL priorities	9/30/2010	Partial		Scope of Oregon's 2010 Integrated Report depends on available funding and staff resources.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	EPA's approval. DEQ will distribute final approved 303(d) list and Integrated Report for agency and public use.	information for national reports.					
1.13	DEQ will develop protocols, procedures, and evaluation tools to fully evaluate revised Oregon standards for temperature and dissolved oxygen into future assessments (2010).	EPA will provide review of implementation guidance, and support to develop database and GIS tools to implement temperature and dissolved oxygen standards.	Oregon review and evaluation of water quality for temperature and dissolved oxygen impairments in the 2012 Integrated Report.	April 2012	Partial		
1.14	DEQ will develop protocols, procedures, and evaluation tools to incorporate updated and new Oregon standards into future assessments (2012).	EPA will provide support to implement new standards in the 305(b)/303(d) evaluation and assessment.	Oregon's 2012 Integrated Report	April 2012	Partial		
1.15	DEQ will assist EPA to identify Assessment Database (ADB) elements and georeferenced information from Oregon Integrated Report that are equivalent to EPA's ADB.	EPA will extract information from Oregon's databases to populate EPA databases (WATERS, ADB, NAD) and compile information for national reports.	Oregon Integrated Report	06/30/12	Partial	WQ-7	Scope of updates, data and information review for Integrated Report depends on available state and EPA funding. PPG funding for 1 FTE supports DEQ assisting EPA to identify correct data fields and relational tables based on 2004/2006 Integrated Report database structure.
1.16	DEQ will develop an approach to implement narrative criteria for Integrated Reporting	EPA will support the technical analysis and data review necessary for assessment protocol development. EPA will work with DEQ on approach for waters where	Updates/new protocols for Oregon Assessment Methodology for Integrated Report on Water Quality Status	06/30/12	Partial		Narrative criteria to be addressed are bottom deposits such as bedded sediment.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
		narrative criteria are not met but no pollutant is identified for TMDL development.					

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Element 2 : TMDLS

DEQ contact: Gene Foster
EPA contact: David Croxton

Total Maximum Daily Loads (TMDLs) and Water Quality Management Plans

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies that do not meet water quality standards. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background, which can enter the river or stream without violating water quality standards. These estimates are required for waterbodies that have been identified as in violation of one or more water quality standards at some time, and have been included on one of DEQ's 303d lists of water quality limited waterbodies.

Oregon's 303(d) list and TMDL process was the subject of lawsuits brought by environmental groups. Under a consent order signed in 2000, EPA has agreed to a timeline that will ensure Oregon will complete 1153 TMDLs for waterbodies listed on the 1998 303(d) list or subsequent 303(d) lists by the end of 2010. This schedule is further memorialized in a Memorandum of Agreement between DEQ and EPA signed in 2000.

DEQ develops TMDLs on a basin or subbasin scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). These TMDLs address all sources of pollutants when determining allocations of loading for the pollutants being addressed by the TMDL. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling. Staff in the program conduct all facets of work in collecting, analyzing and presenting results. Staff will also perform public and stakeholder outreach to ensure input when decisions are being made. The combination of outreach and development provides for the transition from development of loading allocations to implementation in permits and watershed plans

TMDL Wasteload Allocations are implemented through waste limits in permits for point source discharges, and Load Allocations are implemented as planning targets for other sources and designated management agencies. DEQ staff actively implement TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate revised permit limits.
- Working with local communities and the Oregon Department of Agriculture through the SB 1010 process to implement the TMDLs effectively on agricultural lands.
- Working with the Oregon Department of Forestry, for implementation on state and private forestlands, through the Oregon Forest Practices Act and long range management plans.
- Assisting local governments in developing TMDL Implementation plans for urban areas.
- Working with the U.S. Forest Service, Bureau of Land Management, and other federal agencies on developing water quality restoration plans for lands under their jurisdiction.

Under most circumstances, TMDL Implementation plans for improved water quality rely on cooperation among landowners and land managers within a river basin. Local watershed councils, Soil and Water Conservation Districts or other organizations will serve as community-based coordination points for these united efforts. Agencies and municipalities with jurisdiction over sources of nonpoint source pollution and sources not covered by permit are required to submit TMDL implementation plans to DEQ. These plans describe actions that will be taken to reduce their contribution to Water Quality problems. Additional nonpoint source pollution control measures for forestry, and onsite septic systems are being developed for Coastal Basins. TMDLs and BMPs necessary to meet load allocations and surrogate targets will be developed by DEQ between 2010 and 2012. Consistent with CZARA guidance, a minimum of $100,000 in 319 funding will be set aside each year for development of the Coastal Basin TMDLs and BMPs in Oregon.

DEQ has defined development of TMDLs as a High Priority Outcome for the Water Quality Division. DEQ has committed to meet the Consent Decree requiring that specific target numbers of TMDLs be completed by 2008 and by 2010. We have defined a parallel goal that, by 2008, there will be a general recognition of the importance of TMDLs

and their implementation for water quality protection and restoration. This goal is being implemented by the use of the Watershed Approach which will be used to coordinate the use of EPA's Nonpoint Source 9-Key Elements and Implementation Ready TMDLs for addressing water quality impairments.

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses and meeting water quality standards in Oregon's waterbodies and water quality improvements as measured by water quality data and other environmental data and measures in WQMPs and TMDL implementation plans.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
2.1	Develop TMDLs and WQMPs in accordance with 303(d) List schedule, the February 2000 Memorandum of Agreement between DEQ and EPA (as updated by the Amendment to the MOA signed December 13, 2007) and the July 26, 2000 Federal District Court Consent Decree.	Technical Assistance; Review and approve	By December 31, 2010, DEQ plans to submit to EPA for approval additional TMDLs to achieve the milestone of 1,153 TMDLs completed contained in the consent decree. The TMDLs could include any of the following basins: - John Day Basin - Malheur Basin - Walowa County Basin - Klamath Basin Issuance of TMDLs for the: - Coquille Basin - Deschutes Basin - MidCoast Basins	12/10 6/12	Partial	WQ-8b	
2.2	Implement TMDL Wasteload Allocations in NPDES permits through collaboration with NPDES permit writers.		Pollutant Discharge Limits that will meet WLAs for each permitted discharge.	Ongoing	Partial		
2.3	Implement the Willamette River Basin TMDL. Work with watershed councils, local governments, and other DMAs to develop		Completed Implementation plans throughout Willamette Basin that guide management practices,	Ongoing	Partial		

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	appropriate management practices and plans for controlling pollutants to the Willamette River. Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas.		pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.				
2.4	Implement the Willamette Mercury TMDL (Phase I) using DEQ's Agency Toxics Reduction Strategy, Mercury Reduction Strategy and mercury source characterization work to help identify priorities and strategies. Work with stakeholders to identify sources and implement strategies to reduce mercury in the environment. Work with EPA Region 10 to develop and implement Region 10's Mercury Strategy Framework.		Complete characterization of mercury sources in Willamette basin and data required for final modeling.	Ongoing	Partial	SP-12	This work is dependent upon award of competitive Extramural Funding for mercury analysis, Phase 2 TMDL development, and mercury minimization planning.
2.5	Implement TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed. Work with watershed councils, local governments, and other DMAs to develop appropriate management practices and plans for controlling pollutants. Work with USDA agencies		Completed Implementation plans that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Partial	WQ-10	

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	to leverage Farm Bill resources to implement priority best management practices in critical areas.						
2.6	Develop Implementation Ready TMDLs and BMPs for the Mid Coast and North Coast basins	Review and provide input to DEQ as TMDLs and BMPs are developed and approve completed TMDLs	Completed TMDLs issued as administrative orders that assign load allocations to pollutant sources in the basins	2012	Partial		
2.7	Require TMDL implementation plans for all sources assigned load allocations.	Review and provide input to DEQ on Mid-Coast and North Coast Basin implementation plans	Implementation plans that meet load allocations or ODEQ safe harbor BMPs are in place.	2012	Partial		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 3: Underground Injection Control
DEQ contacts: Judy Johndohl
EPA contacts: Peter Contreras

Underground Injection Control Program

The Underground Injection Control (UIC) program protects drinking water sources and aquifers by providing oversight on the use of injection systems (dry wells, sumps, large onsite wastewater treatment systems geothermal, Aquifer storage and Recovery (ASR), remediation injection, etc.) that discharge to the subsurface and may endanger groundwater quality. Federal regulation requires DEQ to keep an updated inventory of all injection wells and report them to the EPA annually. In Oregon the majority of injection systems are associated with storm water discharge, large onsite wastewater, aquifer remediation, and industrial process/wastewater. Injection systems either qualify as Authorized by rule are required to obtain a UIC-WPCF permit, or must be formally closed. DEQ staff review and approve applications of a variety of injection system types, provide technical assistance to private and public injection well owners, and work closely with municipalities in their development of stormwater management plans related to injection systems. As a delegated program under the Safe Drinking Water Act, injection systems are subject to EPA enforcement.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards violations, which will contribute to water quality improvements as measured by water quality monitoring and other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
3.1	Continue administration of UIC program by providing Authorization by rule site reviews, developing WPCF permits, and closures.	EPA will provide enforcement and compliance assistance as requested by and in close coordination with DEQ.	350 wells inventoried and registered per year; Authorization by rule determination process (e.g. requesting additional information, providing clarification on application issues, retrofits) will occur for approximately 75% of these systems. Issue 8 areawide UIC-WPCF Permits a year. 50 closures approved per year. Including an average of 5 motor vehicle waste disposal	6/30/12	Partial	SDW-8, SDW-7b	

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
			wells per year.				
3.2	Provide technical assistance and education and outreach to consultants, cities, municipalities, and other public and private UIC owners.	EPA will provide inspector training opportunities; provide training/outreach to municipalities and other public and private UIC owners, as requested.	Outreach and education activities may include presentations, meetings, and distribution of literature.	Ongoing	Partial		
3.3	Update the UIC database to facilitate regional work and verify the data so it can be digitized and added to profiler. DEQ is looking into upgrades to the UIC database including use of EPA grants. DEQ will be updating the Profiler dataset (all permits , source water and cleanup sites) in the next few years with a GIS system. and the UIC data will be added.	EPA will provide assistance to DEQ in digitizing DEQ's entire UIC database, and will provide updates every 6 months or as necessary.		Ongoing	Partial		EPA/DEQ will coordinate planning efforts on national UIC database rollout. Implementation and utilization of the national database by DEQ will depend on available funding.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 4: Groundwater Program
DEQ contact: Judy Johndohl
EPA contact: Eric Winiecki

Groundwater Program

The Groundwater Quality Protection Act of 1989 provides the framework for comprehensive groundwater management and protection in Oregon. This Act and the federal Safe Drinking Water Act establish the critical elements for enhancing and protecting Oregon's groundwater resource for its many beneficial uses. Over ninety percent of Oregon's available freshwater is stored beneath the earth's surface as groundwater. Approximately seventy percent of Oregon's people depend on groundwater for their daily water needs via private, public, and industrial water wells.

Oregon focuses most of its groundwater protection activities in three sensitive groundwater areas called "Groundwater Management Areas"; one is located in the Lower Umatilla Basin, one in Northern Malheur County, and another in the Southern Willamette Valley. Protection efforts in these management areas involve, the implementation of groundwater action plans where the water quality has been degraded, beneficial uses are seriously impaired, and public health may be at risk in part from nonpoint source groundwater pollution. Oregon also provides technical assistance to communities and watershed councils engaged in groundwater pollution prevention efforts.

Environmental Outcome: Groundwater protection efforts will help to prevent the degradation of Oregon's groundwater resources and maintain or improve the quality of groundwater resources, as measured through the various groundwater monitoring efforts DEQ conducts around the state.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
4.1	Implement the Lower Umatilla Basin Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	Coordination - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness Education and Outreach - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at "outdoor schools" and farm fairs. - Maintain GWMA website. Monitoring and Data Analysis	Meet as needed; typically 2 meetings per year Ongoing Ongoing Annually Ongoing	Partial		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan.

			- Monitor groundwater quality at 32 domestic and irrigation wells to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis for entire GWM (including food processor sites) - Evaluate success of BMP awareness and implementation.	Bimonthly 2011 Every four years			
4.2	Implement the Northern Malheur County Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities .that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness. <u>Education and Outreach</u> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMP <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 36 domestic and irrigation wells to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis - Evaluate success of BMP awareness and implementation.	Meet as needed; typically 2 meetings per year Ongoing Ongoing Annually Bimonthly 2010 Every four years	Partial		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan.
4.3	Implement the Southern Willamette Valley Groundwater Management Area Action Plan by focusing on	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action	3-4 SWV GWMA Committee meetings per year	Partial		

	agricultural, residential, commercial, industrial, municipal, and public water supply activities .that will prevent and reduce nitrate contamination in groundwater.		Plan activities. - Provide technical support. - Research BMPs and their effectiveness <u>Education and Outreach</u> Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including 2 demonstration projects and 2 workshops. increase awareness of groundwater vulnerability and BMPs, including 2 demonstration projects and 2 workshops. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 25 monitoring wells and 15 domestic wells to evaluate impacts and effectiveness of Action Plan. - Conduct nitrate well water screening events - Evaluate success of BMP awareness and implementation.	Ongoing Ongoing 2 demonstration projects per biennium; 2 major outreach/education events per year Ongoing 4 times per year 10 events per biennium As scheduled			
4.4	Complete federal and state groundwater reporting requirements.		- Biennial Report to the legislature. - Groundwater component of 305(b) report.	12/30/10 As scheduled	Partial		
4.5	Participate in EPA-sponsored annual groundwater meetings and conferences as workload and resources allow.	EPA will provide timely notice and organization of meetings.	Meetings	As scheduled	Partial		

Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Annette Liebe
EPA contact: Susan Poulsom

Industrial and Domestic Wastewater Permitting

DEQ's wastewater management program regulates and minimizes adverse impacts of pollution on Oregon's waters from point sources of pollution. The term "point source" generally refers to wastewater discharged into water or onto land through a pipe or a discernible channel. These point sources operate under the terms of a federal National Pollutant Discharge Elimination System (NPDES) or state Water Pollution Control Facilities (WPCF) wastewater discharge permit issued by DEQ.

DEQ has had authority for NPDES permit issuance since 1974. As a delegated program, DEQ's NPDES permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation of the water quality program and is essential to the continued receipt of federal program funds. To effectively protect water quality, DEQ must carry out five activities:

- Issue discharge permits that adequately evaluate and limit pollutant discharges to prevent an impact on receiving waters and the beneficial uses of those waters (drinking, swimming, fishing, aquatic habitat, etc.).
- Periodically inspect facilities and review monitoring results.
- Update and maintain EPA's PCS database with timely and accurate permit and permit related data (DMRs, Compliance Schedules, Inspections, etc.).
- Take prompt and appropriate enforcement actions when violations occur.
- Give essential technical assistance for facility owners and operators to help assure ongoing compliance at minimum expense to permit holders.

DEQ currently manages about 5,000 water quality permits including 3,500 federal National Pollutant Discharge Elimination System (NPDES) permits and 1,500 State Water Pollution Control Facility (WPCF) permits.

Due to the increasing number of permitted facilities and the increasing complexity of permitting standards, DEQ's permitting program developed a permit backlog. A "Blue Ribbon Committee" was convened in 2002 to assist DEQ in identifying improvements to the wastewater program.

Delivering on the Blue Ribbon Committee's recommendations is one of DEQ's High Priority Outcomes. DEQ will continue to focus on implementing the Blue Ribbon Committee recommendations for reducing the permit backlog, improving enforcement, and improving the permit program "infrastructure" which provides support and guidance for timely permit issuance. Meeting this plan will require all of our existing resources, but we believe that it will result in DEQ effectively and efficiently fulfilling its responsibilities under state and federal law to protect Oregon's water quality. Specifically:

- Permits issued by watershed, for an improved emphasis on key water quality concerns and a more holistic approach to discharge effects on watersheds.
- Improved accountability including annual permit issuance plans and tracking and individual performance expectations.
- Timely review of compliance data and improved compliance inspections.

Biosolids Program–Judy Johndohl

Biosolids are wastewater solids that have undergone sufficient treatment to make them safe for land application. These wastewater residuals are desirable fertilizers and soil

conditioners. DEQ works with domestic wastewater treatment facilities to assure proper stabilization, application, management, and monitoring of solids on sites used to improve soil tilth and to grow a variety of crops. Biosolids applications are controlled by detailed site authorization letters which, together with biosolids management plans, are linked directly to the Water Quality permits of wastewater treatment facilities.

Wastewater Reuse–Judy Johndohl

DEQ staff work with municipal and industrial wastewater facilities to permit the recycling of treated wastewater effluent and provide technical assistance to those facilities engaged in the practice of reuse. Wastewater reuse is a tool in the "tool box" for municipalities and potentially industrial wastewater dischargers as another option for managing their treated wastewater. Having additional "tools" provides these stakeholders with options that may be more economical and/or environmentally sound, and can be an additional source of water for non-drinking water practices. Most wastewater reuse occurs through land application to crops and golf courses, and there is increasing interest to reuse treated effluent for industrial and commercial applications. DEQ works with the Department of Human Services – Health Services Division and Water Resources Department on the permitting of this practice.

401 Water Quality Certification–Sally Puent

Section 401 of the federal Clean Water Act requires that any federal license or permit to conduct an activity that may result in a discharge to waters of the State receive certification from DEQ that the activity complies with water quality requirements and standards before the activity is allowed. In order to provide a certification, DEQ reviews proposed project applications to dredge, fill, or otherwise alter a waterway or wetland to ensure that the projects will meet water quality program requirements. The federal relicensing of hydroelectric projects also requires a 401 water quality certification (WQC) from DEQ as a condition of the operating license of the facility.

For dredge and fill projects, DEQ issues approximately 150 individual WQCs per biennia that contain conditions which provide protective measures for water quality and beneficial uses. DEQ provides support for EPA reviews of 401 water quality certification program activities related to proposed dredge and fill projects. Additionally, DEQ provides a great deal of technical assistance throughout the permit process. DEQ also issues programmatic type WQCs which cover groups of activities with protective conditions in an effort to provide a streamlined approach to the regulatory process.

During the course of this PPA, EPA may allocate funds that could be used to enhance the State's 401 program. DEQ will work with EPA to identify any potential for requesting specific funding from EPA to enhance 401 reviews, oversight and field reviews consistent with existing program objectives. EPA will notify DEQ of any potential funding opportunities and respond to any DEQ request for additional funding.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that point source discharges, dredge and fill activities and the recertification of hydroelectric projects do not result in water quality standards violations and will contribute to water quality improvements as measured by water quality monitoring and other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
5.1	Continue to issue and reissue NPDES and WPCF permits. There are approximately 1100 individual permittees in Oregon, including 74 NPDES majors and 286 NPDES minors.	On an annual basis, EPA will select permits that it will review. EPA review will occur prior to public notice of those with compliance schedules. EPA may also review permits during the public notice process and proposed final permits consistent with the Memorandum of Agreement. EPA's designee for reviewing draft permits is the NPDES permits manager (Mike Lidgard)	Develop and implement a permit issuance plan by "February of each year that identifies specific NPDES permits intended to be reissued during the upcoming year. DEQ will work to achieve the goal of 90% of individual and general permits are current during each calendar year		Partial	WQ-12 WQ-19a	DEQ's goal is to issue 95% of "priority permits" each year. EPA will work with DEQ on permit selection for EPA review with an emphasis on those permits implementing water-quality based limitations and/or permits with compliance schedules. Goal for achieving the 10% backlog is not achievable during this PPA term due to delays and resource impacts from litigation and lack of resources. DEQ will strive to achieve a percent coverage of 90 % each year.
5.2	Develop and implement a watershed based permit issuance plan.		By the end of 2012, 95 percent of permits will be issued on a watershed cycle.		Partial	WQ-12	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
5.3	Develop state-wide permit policies, guidance and tools to make the permits program more consistent, effective and efficient. This includes identifying staff experts for various industrial and municipal permit categories to review draft permits in order to improve consistency. DEQ will also identify staff experts for review of proposed compliance schedules. Review the state CAFO statutes and regulations to determine if they conform with federal requirements	Technical Assistance (TA); EPA timely review and comment on draft policies and guidance; and other program support as needed.	Develop Internal Management Directives for: - Revise Mixing zone IMD - Revise Reasonable Potential Analysis IMD - Complete IMD on the implementation of state and federal bacteria standards Develop and implement a training curriculum Develop fee rulemakings Conduct permit writer's workshop. Issue general permit for pesticide applications near or over waters Issue general permit for suction dredge mining. Revise state statutes or rules as necessary.	06/30/12 4/09/11	Partial		
5.4	Permits shall include water-quality based	Provide permit review and oversight as appropriate.	WQBELs are included in permits where reasonable	Ongoing	Partial		

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	effluent limits (WQBELs) as needed.		potential is found. Fact Sheets document reasonable potential and WQBELs.				
5.5	Implement State stormwater program.		- Conduct compliance activities on Phase I and Phase II MS4 permittees. - Renew Phase I permits. - Renew 1200 C construction and 1200Z industrial stormwater permits. - Implement 1200COLS; 1200C1200A and 1200Z permits. - Work with local govt. agencies to assist DEQ in program implementation. - Inspect 10% of industrial stormwater facilities per year. - Inspect 10% of construction sites larger than 5 acres per year - Inspect 5% of construction sites less than 5 acres per year.	06/30/12	Partial	WQ- 13a WQ- 13b WQ-13c	DEQ's compliance activities for Phase I and Phase II MS4 permits means reviewing the annual reports. The actual inspection number targets will need to be prorated based on resources originally expected to be hired to meet this output versus staff actually hired, given position cuts and positions held vacant due to budget constraints.
5.6	Coordinate State permit actions with interested tribal agencies as appropriate.	Liaison role as needed.	Improved relations with affected tribes.	06/30/12	Partial		
5.7	DEQ will conduct wastewater reuse activities.	EPA will review draft water reuse rules (OAR 340-055) as requested by DEQ.	DEQ will implement revisions to state recycled water use regulations (OAR 340-055 – Reclaimed Water).	Ongoing	Partial		EPA R10 will involve the interested offices of EPA HQ in the review of the draft rules.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
5.8	DEQ will conduct biosolids/sewage sludge activities.	EPA will provide TA; timely program support as needed.	- Review approximately 25 biosolids management plans each year. - Issue approximately 75 land application site authorization letters each year. - Provide TA and program oversight from each DEQ regional office and HQ.	6/30/12 6/30/12	Partial		The exact number of plan and site review depends on number of requests from municipal facilities.
5.9	Implement the Pretreatment Program.				Partial	WQ-14a WQ-14b	
5.10	Ensure appropriate controls are placed on combined sewer overflows (CSOs).		Reissue the Portland Permit.		Partial	SS-1	
5.11	DEQ will participate in Government Performance and Results Act (GPRA) reporting.	EPA will provide a list of items to be reported under the NPDES permit program by July 1 of each year along with the due dates for each item.	DEQ will provide information required under the GPRA (resources permitting).	6/30/12	Partial	PAMs are under GPRA	The information will be fed into the national program reporting system. More information on GPRA reporting can be found at www.epa.gov/ocfo/planning/gpra.htm

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 6: Compliance Assurance and Enforcement
DEQ contact: Annette Liebe
EPA contact: Kim Ogle

Environmental Outcome: Compliance assistance and enforcement activities are critical components of an effective wastewater permitting program, which will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
6.1	DEQ will conduct compliance assistance and compliance assurance activities as appropriate (see additional detail below).	TA and support as needed.	- TA provided to permittees. - DMRs from individual permittees reviewed.	06/30/12	Partial		
6.2	DEQ will respond to significant public complaints.	TA and support as needed.	- Prompt response to complaints that involve potential significant threats to public health and the environment. - Investigate spills. - Enforcement actions as warranted.	Ongoing	Partial		
6.3	DEQ will inspect (NPDES) facilities consistent with EPA's Compliance Monitoring Strategy.	As resources allow, Region may schedule joint and/or oversight inspections with DEQ.	-DEQ will inspect all major sources every two years; DEQ will inspect minor sources once every 5 years. Submit inspection plan to EPA Region 10. Stormwater: - Inspect 10% of industrial stormwater facilities per year. - Inspect 10% of construction sites larger than 5 acres per	9/1/10 and 9/1/11 (inspection plan submittal)	Partial		DEQ reserves the right to substitute inspections as such flexibility is provided for in the Compliance Monitoring Strategy. For inspections of stormwater general permits, DEQ will follow the Compliance Monitoring Strategy. For non-stormwater general permits, DEQ will conduct inspections as resources allow.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
			year - Inspect 5% of construction sites less than 5 acres per year. Pretreatment: - DEQ will audit 6 approved active pretreatment programs each year to get caught up with the CMS requirement of once every five years - During each audit an oversight inspection will be conducted of up to two Industrial Users to the POTW. - DEQ will conduct Pretreatment Compliance Inspections based on annual report results.				
6.4	DEQ will pursue timely and appropriate enforcement actions as warranted.	TA and program support as needed.	Formal enforcement actions taken pursuant to state law and rule.	Ongoing	Partial		
6.5	DEQ will participate in EPA collaborative planning and enforcement initiatives as resources allow.	TA and program support. If needed, EPA will draft Compliance Assurance Principles Agreement Revisions.	- NPDES MOA and Compliance Assurance Principles Agreement revisions as needed. EPA will coordinate internally amongst permitting and compliance groups. - Joint planning and enforcement case coordination.	6/30/12	Partial		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
6.6	DEQ will report on its enforcement activities.		DEQ will submit summary level data on enforcement annually, or as requested by EPA.	Ongoing	Partial		
6.7	DEQ agrees to meet with EPA to discuss and implement, where resources allow, recommendations of the "90 Day CWA Action Plan"	EPA will provide TA and program support.	A plan with time frames for Implementation of the recommendations that come out of the 90 day CWA Action Plan will be developed by EPA and DEQ by December 31, 2010.	12/31/2010	Partial		
6.8	DEQ will participate in the State Review Framework that is planned to occur in 2011. DEQ will work to implement recommendations made in the 2011 SRF results.	EPA will provide TA and program support and produce the SRF results	A SRF Report, written by EPA in 2011. A plan with timeframes by DEQ to implement the recommendations of the SRF findings	No later than 09/30/2011	Partial		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 7: WQ Data Analysis, Management and Monitoring

DEQ contact: Dave Kingsella (data) and Aaron Borisenko (monitoring)
EPA contact: Jeannine Brown (data) and Gretchen Hayslip (monitoring)

Water Quality Monitoring

Water quality monitoring and assessment provides the foundation for effective water quality management as well as the basis for tracking violations. Water quality monitoring programs provide information on the status and trends of water quality in Oregon and the causes of impairment. Monitoring is conducted to determine if water quality supports beneficial uses and if standards are met. Streams that do not meet water quality standards are placed on the 303d list and will have TMDLs developed for them. In order to develop TMDLs studies must be conducted to determine the sources and loads of pollutants affecting the water body and how those vary over time and space. DEQ is engaged in several other types of monitoring studies, including the following:

- Studies to determine the relationship between water quality, habitat conditions and biological condition.
- Compliance monitoring studies to determine compliance with permit conditions.
- Studies to determine threats to human and ecological health from toxic compounds.

The Laboratory Environmental Assessment Division (LEAD) also collects water samples and analyzes the results to support other DEQ programs respond to inquiries from the public. In addition, the Laboratory certifies environmental laboratories in cooperation with the Oregon Department of Agriculture and Oregon Health Services under the National Laboratory Accreditation Program (NELAP). The Laboratory works with other agencies to monitor Oregon's progress under the Oregon Plan for Salmon and Watersheds and provides equipment and technical support to watershed councils for water quality monitoring.

Water quality monitoring is necessary to understand how well Oregon is protecting the uses of its water. DEQ monitors water quality by collecting water quality samples, and then performing chemical analysis and statistical analysis of the resulting data. The Water Quality Program is responsible for monitoring and assessing Oregon's 52,000, miles of rivers, 400,000 acres of lakes, 56,000 acres of tidal wetlands, 360 miles of coastal ocean and 206 square miles of estuaries, harbors and bays. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies. However, all data must first be reviewed to ensure proper quality control protocols were used.

Environmental Outcome: Effective management and analysis of water quality data provides a means for tracking and assessing the effectiveness of water quality protection and improvement efforts, supporting an adaptive management approach that will result in water quality improvements as measured through water quality monitoring and the other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
7.1	DEQ will convert Core Data from PCS to ICIS, develop the interface between Oregon's state data system and ICIS and implement sustainable processes to maintain	EPA will assist with determining ICIS coding solutions to problem reporting areas. EPA R10 will support and assist with acquiring funding from EPA HQ.	--Convert PCS WENDB data elements to ICIS RIDE data elements. --Electronic interface between Oregon data system and ICIS	As scheduled by EPA	Partial		Without funding from EPA, DEQ will not be able to do this work.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	accurate data in ICIS.						
7.2	DEQ will work toward the development and implementation of an Electronic Discharge Monitoring Report application.	EPA R10 will support and assist with acquiring funding from EPA HQ.	--The capability for individual sources to submit DMRs electronically to Oregon DEQ. --The capability to process DMRs from non-major individual sources and input the data into ICIS	Ongoing			Initial funding for development has been provided; additional funding will be needed for implementation.
7.3	Environmental Indicators – DEQ uses the Oregon Water Quality Index (OWQI) as the key indicator for WQ monitoring, using data collected from the 140 sites of the ambient monitoring network. Prepare periodic reports on water quality trends and indicators, including supporting the 303(d) assessment process.	TA; consultation	- Continue entering data into the data base. - Update of Index annually.	05/08 05/09	Partial		
7.4	Collect water quality data to support TMDL development		TMDL developed on schedule and supported by adequate data.	Ongoing	Partial		
7.5	Conduct 22 site visits in Oregon and 5 site visits in Washington as part of the National Coastal Assessment.		-Provide data for upload to EPA management system -Use information in the narrative section of the 305b report	12/30/2010	YES		Data collection would occur during the summer of 2010

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
7.7	Conduct 12 site visits in Oregon as part of the National Wetlands condition Assessment. Coordinate and Collaborate with Department of State lands.	Provide funding through CWA 106, training, and technical assistance.	Provide data for upload to EPA management system -Use information in the narrative section of the 305b report	06/30/2012	YES		Data collection would occur during the field season of 2011
7.8	Conduct an in depth analysis of ambient water quality data in priority basins in Oregon.	Provide supplemental water quality monitoring funds.	Detailed report on the status and trends of conventional water quality parameters, in priority basins using long term ambient data. Investigate the relationship between water quality parameters and land use.	06/30/2011	Partial		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 8: Management of Nonpoint Sources of Pollution
DEQ contact: Gene Foster
EPA contact: David Croxton

Section 319 of the federal Clean Water Act requires states to have nonpoint source (NPS) management programs based on assessments of the amounts and origins of NPS pollution in the state. The Coastal Zone Act Reauthorization Amendments required development of additional management measures for NPS within the coastal zone. Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, forestry operations, on-site disposal, farms and construction sites. This type of pollution is understood to be the largest source of water quality impairment in Oregon, as well as the rest of the United States. Federal grants cover the majority of cost for Oregon's NPS program, which protects and restores both surface water and groundwater. During the 2008-2010 biennium, DEQ will provide close to $4 million to local organizations for nonpoint source projects such as public education and watershed restoration. DEQ's NPS program also includes staff, which performs the following activities:

- Characterization of NPS problems/concerns.
- Monitoring to support and determine effectiveness of BMP programs.
- Best management practices development/implementation.
- Coordination between stakeholders.
- Liaison support staff to other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS TMDLs.
- Development of UAA/SSC as related to NPS activities; and
- Public education.

Environmental Outcome: Active management and control of nonpoint sources of pollution will reduce the amount of nonpoint source pollution getting into Oregon's waterways, resulting in water quality improvements as measured by water quality data and measures in WQMPs and TMDL implementation plans.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
8.1	Distribute 319 grants to fund project proposals to Oregon's priority basins based on TMDL development and implementation, drinking water source areas and GWMAs.	Assist with criteria updates as needed. Target Oregon's priority watersheds for funding. Provide technical support and review of basin plans based on TMDL development and implementation and the 9 guidance points.	Solicit and select projects.	05/11 and 05/12	YES		Funding criteria used to prioritize proposals. DEQ continues to develop watershed approach,
8.2	Prepare an annual report of NPS program accomplishments.	Review and take final action on annual report.	NPS Annual Report	03/11 and 03/12	YES		Place on website.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
8.3	Determine with EPA available NPS Success Stories documenting either water quality progress or YES/full restoration under PAM	Provide assistance in development of NPS Success Stories.	NPS Success Stories	9/10 and 9/11	YES	SP-12 WQ-10	All stories on EPA website, stories documenting YES or full attainment count towards WQ-10.
8.4	Enter GRTS 319 mandated elements to 319 project tracking data by national deadlines, including load reductions as available	Provide technical assistance for GRTS-related function.	Data reflecting progress and status of 319 implementation	2/11, 2/12 load reduction, other GRTS data (National GRTS reporting deadlines	YES	WQ-9a WQ-9b WQ-9c	
8.5	Work with EPA to review TMDLs and other basins plans for meeting EPA's 9 Key Element watershed guidance.	Provide technical support and review of basin plans based on TMDL development and implementation and the 9 Key Element watershed guidance	Develop strategy to leverage current resources for development of a watershed framework that integrates TMDLs and NPS Programs and is consistent with EPAs 9 Key Elements watershed plan model. Inform DEQ HQ and Regional staff about the Watershed Framework and the linkages between the various DEQ Water Quality subprograms. Develop conceptual model for management practice reporting system for implementation monitoring of WQMPs.	6/12	YES		TMDL implementation, and integration of EPA's NPS Guidance 9 points criteria into watershed implementation plans.
8.6	Develop BMPs and other	Provide input to and assist DEQ	Outstanding conditions related to Oregon's	Ongoing	Partial		

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
	measures/rules to address NPS pollution from forestry, new developments, and on-site disposal within the Coastal Zone.	during development of BMPs and other measures for the Coastal Zone	Coastal NPS Pollution Control Plan are addressed				
8.7	Develop Agency Toxics Reduction Strategy		A toxics reduction strategy that incorporates air, land and water.	06/30/12	YES		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 9: Source Water Protection

DEQ contacts: Gene Foster
EPA contacts: Eric Winiecki

Source Water Protection Program

The Safe Drinking Water Act Amendments (SDWA) of 1996 provided resources to states to focus more attention on the source areas for public water systems instead of solely relying upon treatment to achieve clean drinking water. Approximately 75% of Oregon's citizens get their drinking water from public water systems. To address the assessment requirements of the SDWA, the Department of Human Services – Health Services (DHS) teamed up with the Department of Environmental Quality (DEQ). The two agencies have established a Memorandum of Understanding to coordinate their work.

The two agencies worked closely in 1998 and 1999 with a citizen's advisory committee consisting of nine public water system managers and eleven interest groups and agency representatives to develop the Oregon program. DEQ and DHS then shared the responsibilities to implement the program that included computer database development, Geographic Information System (GIS) development, technical assistance, contamination source inventories, surface water delineations, groundwater delineations, and susceptibility analyses. Oregon completed the source water assessments in June 2005 for 142 surface water systems, 948 ground water systems (community and non-transient non-community), as well as 1040 transient non-community systems.

In recognition of the role of usable drinking water as a prerequisite for human health and future economic growth, DHS and DEQ have now shifted resources into providing technical assistance to public water systems and communities to encourage drinking water protection. This is being done through the use of site-specific information derived from the assessments, the development of outreach programs and tools, the integration of drinking water priorities with other agency programs, and working with local planning authorities to integrate drinking water protection areas into land use planning decisions."

EPA has set out a two-part "Strategic Target" for the source water protection program, which the EPA regional offices are expected to meet:

- Strategic Target SP-4a: "By 2011 50% of the community water systems will achieve minimized risk to public health (minimized risk is achieved by substantial implementation, as determined by the State, of source water protection actions in a source water protection strategy)."
- Strategic Target SP-4b: "By 2011, 62% of the population served by community water systems will receive drinking water that minimizes risk to public health (minimized risk is achieved by substantial implementation, as determined by the State, of source water protection actions in a source water protection strategy)."

DEQ recognizes that EPA Region 10 is expected to meet this target, and will endeavor to assist the Region in meeting it.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 10: Clean Water State Revolving Fund Program

DEQ contacts: Judy Johndohl
EPA contacts: Paula vanHaagen

Clean Water State Revolving Fund (CWSRF) Program

In 1987 Congress established the CWSRF program to replace the Construction Grants program that had provided direct grants to communities to complete sewer infrastructure projects. The CWSRF loan program is overseen by the Environmental Protection Agency and is implemented in each state and Puerto Rico. The program makes low-interest loans available to address water pollution. Congress continues to appropriate funds to the Environmental Protection Agency (EPA) for the purpose of capitalizing the CWSRF program each year. Each state must contribute a minimum matching amount of 20% of its federal grant to the program annually.

The CWSRF program in Oregon is administered by the Oregon Department of Environmental Quality (DEQ) and provides low-cost loans for the planning, design and construction of a variety of projects that address various types of water pollution, including nonpoint source pollution. Oregon laws allow the use of these funds to public agencies only including cities, counties, sanitary districts, soil and water conservation districts, irrigation districts, school districts, and various special districts. A majority of the loans are provided to cities that address wastewater treatment needs and thus help to protect the state's water quality standards. These standards are necessary to protect beneficial uses such as recreation, fish habitat, boating, irrigation and drinking water.

Each year Oregon's program makes approximately $50 million available statewide for water quality improvements. Oregon's capitalization grant in 2010 will increase and provide $23 million of the $95 million available funds. To date, DEQ has provided 273 loans to communities totaling more than $811 million. This includes about $44.3 million provided to 13 projects under the American Recovery and Reinvestment Act of 2009 (ARRA). DEQ dedicated approximately 26 percent of the ARRA funds to projects under a Green Project Reserve as required by federal law.

While continuing to serve traditional municipality wastewater needs, the CWSRF program also provides loans and incentives to address nonpoint source water pollution. Each type of loan has different financial terms, and is intended to provide communities with choices when financing water quality improvements. All of DEQ's CWSRF ARRA funds were distributed as zero percent interest loans and 59 percent of the funds were distributed with principal forgiveness subsidization. DEQ will continue to comply with the additional requirements of the ARRA legislation by including Davis Bacon wage provisions and Buy American requirements in loan agreements.

Although an EPA program, federal regulations allow states broad flexibility in establishing and implementing their revolving funds. To ensure consistency, EPA works closely with each state in providing technical assistance and oversight. DEQ and EPA Region 10 maintain a mutual agreement to operate the program in Oregon which stipulates the procedures and expectations of the program. EPA's regional Oregon CWSRF coordinator and DEQ's CWSRF program staff work closely together in support of Oregon's program. EPA evaluates Oregon's financial and program procedures each year through a site visit and annual report. DEQ provides EPA with the intended plan for the state's use of its fund annually, and then follows at the end of the year with an Annual Report to EPA indicating the program's accomplishments during the year. DEQ will report on environmental outcomes by completing an environmental benefits evaluation for each project in EPA's environmental benefits system for the CWSRF and will provide reports on ARRA loan activity to EPA and the Oregon Governor's Office and the ARRA reporting system.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

What is a Program Activity Measure (PAM)?

From the "National Water Program Guidance Appendix: FY 2006 Final Measures and Commitments"

"PAMs address activities to be implemented by EPA Headquarters, EPA Regional Offices, or by States/Tribes that administer national programs. They are the basis for monitoring progress in implementing programs to accomplish the environmental improvements described in the new Strategic plan."

In April of 2005, the National Water Program published Guidance describing strategies for meeting the water related goals established in the Environmental Protection Agency Strategic Plan and defining the measures to be used to assess progress in meeting the goals in the Plan in FY 2008. Some of the measures included "targets," or increments of progress that might be accomplished under the measures in FY 2008.

The Guidance includes an Appendix that identifies the specific measures that support each water subobjective Plan. The Appendix includes all measures related to water programs, including the environmental/public health measures state in the EPA Strategic Plan (i.e. subobjectives and strategic targets) and the measures of activity in a range of program areas that support each subobjective (i.e. Program Activity Measures or PAMs).

What PAMs apply to the PPA?

The matrix has a column identifying the EPA PAMs. These have been suggested by the EPA program managers as appropriate.

Where can I go for additional information regarding PAMs?

http://www.epa.gov/water/waterplan/documents/05guidance.html